The Nation.

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The Week.

Only four months ago, in his annual report of December 5, Secretary Gage computed for the fiscal year ending with next June a surplus revenue of $40,000,000. He now marks up this estimate to $70,000,000, the difference being mainly chargeable to an increase of eight millions in estimates of customs revenue, and of twelve millions in forecasts of other public receipts. This rather wide misjudgment recalls the still more striking error, in the opposite direction, in the estimates of Mr. Gage's predecessor. In December, 1893, Secretary Carlisle officially predicted a deficit, for the pending fiscal year, of $28,000,000. In fact, the resultant deficit was $69,803,260. In Mr. Carlisle's case, as in Secretary Gage's case, the trouble arose chiefly from faulty judgment of revenue probabilities. Customs alone yielded in 1894 forty-three millions less than the Secretary had predicted; internal taxes produced eighteen millions less than the estimate; so that even a cut in expenditure below official forecasts hardly helped the Treasury. The underestimate of last December will occasion no such mischief as did the overestimate of December, 1893, when plans for revenue legislation were unfortunately affected by the Treasury's mistake.

The Senate has passed a bill appropriating $3,000,000 for the construction by the Navy Department of a submarine cable from San Francisco to Honolulu. A vigorous attempt was made to have the cable laid by a private company, the Government to pay a fixed sum yearly for its messages; but the sentiment in favor of Government ownership prevailed. The Navy Department, however, is authorized, in case its own forces are not available, to have the whole work done by contract. All the materials used shall be of American manufacture, provided their cost is not more than 12 per cent. above what they can be procured for in foreign markets. This provision called forth a vigorous protest from Senator Pettus of Alabama, who wished to know why the Government should be taxed for the benefit of manufacturers. Senator Tillman said that the provision might be of benefit to the iron-manufacturers of Alabama, but Senator Pettus *indignantly repudiated* the suggestion. He stated that the iron-manufacturers of Alabama were not struggling for existence, but were masters of the situation, and maintained that the bounty offered by the bill was not only unnecessary but wrong. There can be no question as to the correctness of his position.

The ship-subsidy bill provides for two independent subsidies: the first is for compensation to American vessels, both sail and steam, and without regard to speed or tonnage; the second, an additional compensation to steamers, which is graded according to speed and tonnage. For the larger steamers this additional speed subsidy is by far the more lucrative of the two, and the rate goes up to two and three-tenths cents per gross ton on the largest and fastest steamers. This will enable the four large vessels of the American Line (the only American ships which can earn the maximum subsidy) to collect about $25,000 for each voyage to Southampton. In view of the value of this speed subsidy, it is of the greatest importance for the Treasury Department to have an accurate statement of the speed of the vessel. The ship's log must, of course, show the distance sailed, and this is at the hand of the officers of the Treasury Department, so that, by the simplest and most obvious method, the Government can inform itself as to the amount of speed subsidy earned. But, instead of this simple and accurate method, the bill goes out of its way to provide for a speed test which opens the door to the most serious impositions on the Government, viz., "*six hours*' continuous steaming at sea in ordinary weather in water of sufficient depth to make the test a fair and just one."

The criticisms of this method of compensation, based on a forced test, have been loud and deep, but nothing in the history of ship-builders' premiums for naval vessels can be compared with the effect of the test proposed by this act. The rate of compensation which is to be fixed by this forced speed-test is, first, multiplied by the number of hundred miles sailed; the product thus produced is, second, multiplied by the tonnage of the vessel; the product thus produced is, third, multiplied by the number of voyages in each year; and the product so produced is, fourth, multiplied by the twenty years during which the subsidy continues. When it is remembered that the average round voyage across the Atlantic will be upwards of six thousand miles, and across the Pacific upwards of ten thousand miles, and that the bill tends to encourage the building of vessels of more than ten thousand tons register, some idea may be gained of the figures with which this forced speed rate is to be successively multiplied, and of the resulting bill against the Government. More than this, the bill contains no guarantee that, after a vessel has received a registered speed based on this six-hour test, she will not thereafter work at a much lower speed, and yet collect for full speed.

That was an overwhelming majority which the House of Representatives gave last week in favor of amending the Constitution so as to provide for the election of United States Senators by direct vote of the people—240 yeas to only 15 nays. Two-fifths of the opposition came from the two New England States of Maine and Connecticut, and in the latter case a partisan motive strongly reinforces any objections on other grounds which may be entertained by the three Republican Representatives recorded in the negative. The Democrats of Connecticut have had a plurality of the popular vote in a good share of the elections during the last thirty years, but they have carried the Legislature only three or four times. The consequence has been that Republicans have occupied both of the seats in the Senate for long periods when they would have been awarded to Democrats if the question had been decided by a plurality vote at the polls, and more than once when the requirement of a majority vote, as for Governor, would not have prevented the success of the Democratic candidate for Senator. The fear that the smaller States may ultimately suffer some attack upon their representation in Congress, if the Constitution should once be amended in this matter, may, perhaps, influence some votes in the House. However, opposition of all sorts in the lower branch is not worth regarding. It is the Senate which will block the project again, as it has done before, and will continue to do, until two-thirds of the upper branch shall consist of men who are committed to the change before their election. Meanwhile, the question goes unanswered: Is the decadence of the State Legislatures (the real evil) hopeless and final; or is there virtue enough left to restore the Constitutional substance to the form of legislative election? If so, we can well afford to wait.

The determination of the Republican managers to push through the Porto Rican tariff scheme has had little effect upon the attitude of the party press towards it. The Chicago *Tribune* and the St. Paul *Pioneer Press*, which at first opposed the bill, and finally were persuaded to accept it, are the only newspapers of any consequence which have changed their ground. The Cleveland *Leader* in Ohio, the Indianapolis *Journal* in Indiana, the Chicago *Times-Herald* and *Inter-Ocean* in Illinois, the Milwaukee *Sentinel* in Wisconsin, and a host of less promi-

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nent party organs, maintain their original position. The *Leader*, for example, insists that "the course followed has been unwise and bad, both in politics and public morals"; the *Journal* declares that it "sees no reason to change its opinion," that "the act is likely to make the Porto Ricans distrustful of the United States," and that no sufficient ground for passing such a law has been offered; while the *Sentinel* pronounces the performance "something incomprehensible," adding that "the leaders of the party in Congress may have had good reasons for their course, but it is plain that not one of them has seen fit publicly to give these reasons in an intelligent manner." Altogether, the course of the Republican press throughout this controversy has been most creditable, and it marks a great advance over what would have happened under a similar test of independence a generation ago.

It was an event of much more than local significance when the Republicans of the Second Maine Congressional District the other day renominated, not only without the faintest opposition, but with the greatest enthusiasm, a Representative who has won national distinction during the past four months by his vigorous opposition to his own party on the only two questions which have been made party issues in the House. Mr. Littlefield early in the winter stood almost alone on the Republican side of the chamber in arguing against the party proposition to keep Roberts, who had been elected Representative from Utah, out of his seat; holding that he ought to be admitted as a matter of right, and then expelled if he deserved expulsion. Later in the winter Mr. Littlefield did his best to thwart the attempt of his party leaders in the House, with the active cooperation of the McKinley Administration, to force a tariff upon the Porto Ricans, and he maintained this attitude to the end of the long struggle, which culminated in the vote the day after the convention met at Lewiston. Yet his constituents declared that "we regard with a justifiable pride the position of national prominence early achieved by the Hon. Charles E. Littlefield, our Representative in Congress; we reaffirm our profound confidence in his wisdom, ability, and patriotism, *and fully endorse the action taken by him upon the great questions that have been and are now pending in Congress*, and we cordially commend him to the Republican voters of the district, as well as to all others who believe in electing to Congress men of strength, capacity, and unswerving honor." This would be noteworthy if it were an isolated exhibition of independence by representatives of the "regular" organization of a party. But it has been made plain that the same spirit which is manifested in New England prevails in that belt of States in the interior which is coming to be the dominating force in the government of the nation.

One aspect of Admiral Dewey's candidacy is evidently troubling the Republican magnates not a little. They see that they are robbed of a taking answer to all objections to Mr. McKinley's Philippine policy. They had expected to be able to give one loud yell of "Dewey" all over the land, and thereby silence every opponent. Did he assert that McKinley had blundered? "Hurrah for Dewey!" Was it charged that the war with the Filipinos might have been avoided? "George Dewey!" Dared any man say that a wiser, firmer President could have prevented the wretched dragging on of a wretched war? "Dewey's guns!" But that beautiful political logic is now destroyed by the Admiral's own act in announcing his opposition to McKinley's reëlection. Even that formidable argument, "the flag," is endangered. How can it be said that every one opposed to McKinley is disloyal to the flag when there is the honored Admiral himself in opposition? With one form of claptrap after another thus rendered unavailable, it begins to look as if Republican orators would have to pay some respect to fact and logic. This horrible outlook is enough to account for their obvious depression of spirits.

Mr. Cleveland's Princeton lectures on the independence of the American Chief Executive have the excellent grace of coming from a preacher who, at any rate, lived up to his own doctrine. His own victory over Senatorial usurpers has been frittered away by his successor in office, so that the fight will have to be made over again when we once more get a firm and fearless President. It is not necessary to suspect an ulterior intention in Mr. Cleveland's choice of such a theme just at this time. He could not desire a more perfect foil than has been furnished by McKinley. People might have thought Mr. Cleveland too virile and unbending for a successful President, had they not so swiftly had the illustration of what happens when Congress becomes supreme, and gets into the habit of rushing to the White House with a stop-watch to give the President just so many minutes in which to go on his knees. If "tact" and suavity, and a happy knack at conciliation, and especial skill in word-swallowing, seemed for a time to promise to win a President more honor than downright sincerity and a will like steel, in the long run we see the popular judgment righting itself. Mr. McKinley could never arouse the bitter hatred of which Mr. Cleveland was the object; but, on the other hand, Mr. Cleveland never could have been spoken of, even by his most malignant enemies, with the quiet contempt with which even his friends refer to Mr. McKinley. Ferocious invective was the favorite form of attack on Mr. Cleveland. It was a tribute to his strength. His successor's amiable weakness admits only of the milder flagellation of satire.

There is an ominous movement on the part of the labor unions of the Pacific Coast States against the immigration of Japanese. The California labor unions have demanded that Congress pass a law excluding the Japanese from the country, and the leaders of these unions on Puget Sound are preparing to support such a measure. Within two years the number of Japanese laborers brought into that region has been very large, and it is said that ten thousand of them are now employed on the railroads, displacing the whites. While the labor movement to Alaska continues, there may be no trouble, but should that cease, it is to be feared that the Japanese will be badly treated. It will be remembered that the Union and Central Pacific Railroads were constructed largely by Chinese laborers, and when their completion compelled these laborers to seek other employment, the race feud began. After we had used the Chinese we abused them, and we have not altered our policy. So far as the principle of Chinese exclusion goes, it applies in the case of the Japanese, and it will be hard to make any distinction between the two races, should the movement against the Japanese become serious. That it will become serious is highly probable. The demand for laborers in the Pacific States is large and growing, while the facilities for immigration are constantly increasing. Unless Congress passes some law excluding the Japanese, we must be prepared to see them come here in very large numbers. But we can hardly expect the Japanese Government to submit to exclusion laws with the patience displayed by the Chinese, and the situation cannot be regarded without uneasiness.

The building contractors of Chicago have published a dignified statement of their attitude towards laborers and labor unions. They say that they have accepted the scale of wages demanded by the unions, which is the highest in the world. They accept the eight-hour day, and pay one-half wages additional for over-time, and double wages for work on Sundays and holidays. But they insist, as a business necessity, on the right to have their operations directed by their own foremen and not by "walking delegates," and on the complementary right to employ and discharge workmen according to their own judgment. These rights they cannot surrender, nor is their existence something to be settled by arbitration. They have ceased to expect protection against violence through the civil authorities, and have fortified a building and provisioned it against a

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siege, in order that the lives of men who wish to work for them may be secure. But, as it is impossible for their work to go on without some relations with the external world, they make a final demand on Mayor Harrison for the arrest of rioters who commit unprovoked assaults on men who venture to leave or to enter the contractor's stronghold. They ask only that such criminals shall be treated as others guilty of assault are treated. It is a melancholy state of affairs when appeals of this description fail to arouse universal indignation, but the political power of the unions in Chicago is thought to be so great as to control the action of the Mayor. It used to be said that an Englishman's house was his castle; but the maxim has a new meaning in Chicago.

The decision of the United States Supreme Court on the question of the payment of the stamp tax on receipts given by express companies will occasion little surprise. The War-Revenue Act provided that every express company must issue to the person from whom goods were accepted for transportation a bill of lading, or receipt, and ordained that "there shall be duly attached and cancelled, . . . to each of said bills of lading," a stamp of the value of one cent. It was further provided that "any failure to issue such bill of lading" should subject the express company to a penalty of fifty dollars. The duty of the express company to issue a receipt is plain enough, but it was contended that Congress meant to require it also to pay for the stamp. When the act was first passed, it was said that the express companies would pay the stamp tax, but when they computed the number of receipts which they would have to issue they found that the expense would be ruinous. It would have amounted to one-quarter, if not one-half, of their dividends. They therefore insisted that shippers should pay for the stamp as a condition of receiving their bills of lading. Some of the shippers contested this position, and in Michigan they obtained a mandamus compelling the companies to issue stamped receipts without additional charge. The Supreme Court of Michigan upheld this mandamus, on the ground that it was the intent of the statute to tax transportation companies and not shippers, and it is this decision which is now reversed.

It appears, however, from the opinion of Justice White, that the question who should furnish the stamp was immaterial. He said that it was unnecessary to consider whether the law forbids the express companies to require the shipper to furnish the stamp. It might even be conceded that the law imposed on the companies the duty of paying for the stamp. The vital question was whether the statute forbade the companies to shift this payment to the shipper by increasing their charges for transportation. As to this question Justice White pointed out that there is nothing in the law which "by the widest conjecture" can be construed as expressly forbidding the person upon whom the taxes are cast to shift the same by contract or other lawful means. Otherwise the statute must be construed as not merely levying taxes, but as determining that their burden "must irrevocably continue to rest on the one on whom it is primarily placed." All contracts shifting the burden would thus be void, and "to add by implication such a provision to a tax would be contrary to its intent, and be in conflict with the general object which a law levying taxes is naturally presumed to effectuate." It is impossible to resist the force of this reasoning.

A letter from Mr. Phelps Whitmarsh, the correspondent of the *Outlook*, dated March 5, presents a very gloomy view of the situation in the Philippine Islands. The pacification of the country and the establishment of civil government are reported to be not progressing in a very satisfactory manner, less being now accomplished than three months ago. The provinces which were supposed to be pacified are again in a disturbed and dangerous state. The civil authorities appointed by the American Government and professing allegiance to it are known to be in sympathy with the insurgents. Gen. Otis states that the Hong-Kong and Manila Juntas were never more active, and the insurgents are everywhere reorganizing. Mr. Whitmarsh declares that, with the exception of a mere handful, every Filipino in his heart is an "insurrecto," and wishes to drive the Americans from the islands. The same old hatred prevails, the same hope and belief in ultimate independence. Outside of Manila, white men cannot travel without military escort, and the lives of Americans are being lost daily. Let those who think the war is over, writes Mr. Whitmarsh, visit the islands and judge for themselves. Unless more stringent measures are taken at once, he concludes, it will be not months, but years, before peaceful conditions prevail. The reasons assigned by Mr. Whitmarsh for this deplorable condition of affairs are altogether inadequate to explain it. He assigns as the first cause the gentleness of the military government. When an insurgent is captured, "he is patted on the back and told to go home and be good." To a man with a conscience and a heart, Mr. Whitmarsh says, such treatment might perhaps be efficacious; but to deal with a Filipino in this way is worse than folly." The second cause is the delay of Congress in deciding on our policy; the third is the utterances of men like Senator Hoar.

Dr. Parkhurst has added his vigorous rhetoric to the many denunciations of the Presbyterian creed, heard from Presbyterian clergymen in these parts since Prof. McGiffert's withdrawal. It is a new illustration of the futility of hoping that the removal of a troublesome personality like the accused Professor's will remove the trouble. Instead of settling down to delightful peace and unity, the church seems in more danger than ever of being torn with controversy. Already there is talk of bringing other heretics to book. It is certain that if Dr. Parkhurst were a member of Chicago Presbytery, he would be called as sharply to account for his bold utterances as was Dr. Hillis for his. Pascal observed that two degrees of latitude were enough to reverse the moral law; and it is well known that Presbyterian orthodoxy is a matter of latitude (no pun intended) and longitude. Eastern protests against an outworn creed are very like Eastern protests against Bryanism. They do not count, as long as the machine—and there is an ecclesiastical as well as a political machine—of the West and South controls the situation. The West and South like their doctrine, as they like their politics, tough. If there were no hell, they would certainly invent one.

Emperor William is having a hard time getting the Reichstag to accept the bill to double the German navy. To the surprise of the official press, there has been a distinct cooling towards the project since the kind of "combine" necessary to pass it has become evident. The Government has had to offer to the Clericals, as the price of their support, the "lex Heinze," regulating exhibitions of art, against which all artistic and literary Germany is up in arms. The Agrarians demand, in return for their votes, a so-called "meat-inspection" law, designed really to shut out importations. Over this the shipping and commercial interests are greatly excited. Their wrath naturally passes over in some degree to the naval bill itself, without which the offensive measures now linked to it would not have been heard of. It is a curious instance of the way in which the exaltation of war-power naturally draws other forms of barbarism along with it. But Von Bülow points solemnly to the new Imperialistic navy of the United States as a conclusive reason why Germany must have more battle-ships. We, on our part, point to Germany's ambitious naval plans and to England's great armament; England points to France and Russia; Russia to Japan, and so on around the circle. Some day the taxpayers will break into this absurd accusatory and apologetic circle of the nations, and say, "Cut down your naval expenses all around, and your relative strength will be the same, while we shall be millions in pocket."

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THE PORTO RICAN BILL.

The bill to provide a civil government for Porto Rico that passed the House on Wednesday of last week, is a measure of far-reaching importance, aside from the tariff feature, which has hitherto engaged the greater share of public attention. Indeed, the tariff feature is so far overshadowed by other things that it may be regarded as of little consequence *per se*.

The history of the bill ought not to be overlooked. It was introduced by the Chairman of the Ways and Means Committee as a substitute for his own bill, which provided for free trade with Porto Rico. It led to an immediate and dangerous revolt in the Republican party and press, but it was forced through the House by a narrow majority. The Senate overlaid it with the Foraker bill, thus transforming its character from a mere fiscal or revenue measure to a system of governing our new insular possessions. It puts in force at one stroke the proconsular idea of government. It presents in clear-cut fashion the difference, hitherto scarcely noticed by the masses, between Expansion and Imperialism. It is quite consistent with the principle of the Porto Rican tariff bill of the House, but it goes much further in that direction. So far does it go that Mr. Cooper, the Chairman of the House Committee on Insular Affairs, protested vehemently against it. It took the whole question of Expansion vs. Imperialism out of the hands of that committee, and settled it without debate on the Imperialistic basis—and Mr. Cooper himself voted for it when the pinch came.

"A marciful Providunce fashioned us holler
O' purpose thet we might our princerples swaller."

Though, politically, the Democrats had more to gain by the passage of the Porto Rican bill than by its defeat, they stood up in opposition to it more unitedly than on the occasion of its first coming before the House. They will now be able to affirm their own consistency, at the same time that they will have at their disposal a large and varied assortment of deadly political ammunition furnished wholly by good Republicans. It was no Democrat, but a leading Republican Senator, Mr. Davis, who said that the bill was one which "taxed flour and left rum free." It was no free-trader, but that stalwart protectionist, Senator Proctor, who asserted that the bill was changed into a protective measure at the behest of interested parties. From no Mugwump doctrinaire, but from a good Republican Representative from Illinois, Mr. Lorimer, came the declaration that the form of government imposed upon Porto Rico was not such "as free men should give to those who come under their control by conquest or otherwise." Finally, the Democrats have for their campaign that veritable lyddite shell—President McKinley's unctuous assertion of "plain duty," so soon transformed by him, under due pressure, into plain cowardice, plain double-dealing, plain official and personal recreancy.

The plan of civil government proposed by the bill as finally passed provides that the political entity created by it shall be known, not as a State, or as a Territory, of the United States, but as "the People of Porto Rico." The inhabitants are declared to be citizens of Porto Rico, not of the United States of America, but they are declared to be under the protection of the United States, which may possibly mean that we shall not allow anybody else to tax them without giving them representation.

The Governor of the island is to be appointed by the President of the United States, by and with the advice and consent of the Senate, and he is to have all the powers of a Governor of a Territory of the United States. The legislative power of "the People of Porto Rico" is to consist of an Executive Council of eleven members, and a House of Delegates of thirty-five members, but the Council is to be appointed by the President of the United States, by and with the advice and consent of the Senate. This is the true kernel of the Foraker bill. No measure can pass the Porto Rican Legislature without receiving the sanction of a body of which we appoint the whole, though five must be natives of Porto Rico. This is Imperialism without disguise. When Spain offered what she called self-government to the Cubans she retained the right of appointing a majority of the upper house of the Legislature. We then said that such a system was a mockery of self-government, and ought not to be accepted by the Cubans. It was not accepted, and we went to war with Spain on that issue in part. Lest any bill that we do not like should slip through this Executive Council and escape the Governor's veto, it is provided that any bill passed by the legislative branch may be annulled by Congress. In other words, self-government is expressly denied to "the People of Porto Rico."

Why is it denied? A little farther on we read that all grants of franchises, rights, and privileges, or concessions of a public or quasi-public nature shall be made by the Executive Council with the approval of the Governor; but all franchises so granted shall be reported to Congress, which reserves the power to amend or annul the same. Thus, in the granting of charters for railways, gas or electric-light companies, banks or other corporations, "the People of Porto Rico" are to have no voice. It will be said that Congress can disapprove of any grants of franchises that are unwise or unjust; but will Congress do so? Congress has not time to attend to its own proper duties now. Who is to guarantee protection to the people of Porto Rico against corporate oppression and spoliation when they have not even a delegate in Congress to lift a voice for them or to point out their grievances?

Among the other intricacies and novelties of the measure stands the question of citizenship of Porto Ricans, and of Spaniards remaining in the territories ceded or renounced by Spain. The Senate bill at first declared the inhabitants of Porto Rico to be "citizens of the United States." This looked too much like an intention to deal justly by them, and so the bill was amended to read, "citizens of Porto Rico, and as such entitled to the protection of the United States." This is nonsense, from the point of view of international law. Porto Rico is not a sovereign power. It can have no citizenship as such. Before the war, Porto Ricans were Spanish subjects, now they are American subjects. This is what an international lawyer would say. Senator Spooner tried a solemn fetch, when the case was put to him in the Senate. He had affirmed that the Porto Ricans were not American citizens. Then were they aliens? No. What then? They were "colonists." The Senator must have grinned inwardly. "Colonist" means nothing in fixing a man's status. English colonists are subjects of the English crown—British citizens, professing allegiance to English sovereignty. Suppose one of our Porto Rican "colonists" took up arms against the Government. He would be a rebel. He would be guilty of treason. Why? Because he would be an American citizen false to his allegiance. Suppose he were impressed by a foreign navy, or illegally arrested in Hayti or St. Thomas. His release would instantly be demanded by our Government. On what ground? That he was an American citizen.

Congress, so far as a form of words can go, has deprived the Porto Ricans of one citizenship without giving them another. They are made 900,000 people without a country. But we may be sure that the Supreme Court will put an end to this solemn fooling. International law knows nothing of such estrays, such derelicts of citizenship. The "wisdom of Congress" may elect to leave the Porto Ricans floating between heaven and earth, but judges will be compelled to rescue them from the interlunar cave where it has been attempted to deposit them. They must be either one thing or the other, either Spaniards or Americans. Neither our own statutes nor the laws of nations will recognize such wandering nondescripts as they are asserted to be.

A similar novelty in citizenship is presented in Cuba. Under the Treaty of Paris, "Spanish subjects, natives of the Peninsula," were given a year within which to declare their wish to retain their Spanish allegiance. That year expired on April 11. It is estimated that from 60,000 to 70,000 Spaniards made due declaration of their intention to remain

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subjects of Spain. But can it be held that the remaining Peninsulars in Cuba—perhaps 100,000—have lost their nationality, even if the Paris Treaty says they have? We think the matter open to grave doubt, legally. We understand that many Spaniards in Cuba who have not registered as such, have taken advice of able counsel, and they scout the idea that the rights of Spanish citizenship can be forfeited or renounced in any such way. Both Spain and this country have their laws respecting citizenship and naturalization, and if the Treaty of Paris ran counter to them and caused a man to suffer in person or property, he would have redress in the courts. For example, a leading citizen of Cuba, who always supposed he was a Spaniard, the Marquis of Apezteguia, wished to declare his intention to retain his Spanish allegiance. He was not allowed to, on the ground that, having been born in Cuba, he did not come under the terms of the treaty. But the Marquis vows that it is rank injustice to make a man renounce his citizenship against his will, and intends to contest the matter in the courts. He was undoubtedly a Spanish citizen. What is he now? A citizen of Cuba? But Cuba is not a sovereign power. Is he an American subject? But he neither wishes to be, nor has he taken the steps laid down in our laws to become one. It is easy to see what a legal tangle there is here.

Practically, we admit, no great harm is likely to result to any individual, pending a decision by the Supreme Court. Whether aliens or citizens, or unclassified "colonists," Porto Ricans and Cubans are subject to the same laws, and entitled to the same protection. Discrimination against aliens as such has now practically disappeared among civilized nations. Foreigners, like citizens, are protected in person and property. But we see in the fine confusion of notions and of the law respecting citizenship, involved in our first legislation for our new possessions, how they have already turned our legal traditions, as they have our standards of humanity and liberty, upside down.

MONEY AND SENATORSHIPS.

The unanimous decision of the Senate Committee on Privileges and Elections to declare vacant the seat now occupied by Mr. Clark of Montana, on the ground of bribery, is cause for general satisfaction. The fact that all the members of this committee, Republican, Democratic, and Populist, agree that a free choice of Senator was prevented by the great expenditures which Mr. Clark himself admitted were made, is more than was expected; the minority report on every question that may arise being taken as almost a matter of course. Everything indicates that the judgment of the Senate will be overwhelmingly with the Committee if the issue shall ever come to a vote.

Nearly thirty years ago another Senator resigned his place rather than risk expulsion for the same cause. Alexander Caldwell had been elected from Kansas for the term ending in 1877, but he had not been long in Washington before evidence was presented that he had secured his seat by bribery. The charge was so thoroughly established that the committee of investigation reported in favor of turning him out. This would require a two-thirds vote, whereas a seat can be declared vacant by a mere majority, but so few of his colleagues seemed ready to stand by him that Caldwell resigned rather than suffer the disgrace of expulsion.

The closest analogy that we have had to Caldwell's virtually open purchase of a seat, from his time to Clark's, is the attempt, repeatedly made but thus far each time defeated, of Addicks to buy a Senatorship in Delaware. Caldwell, Addicks, and Clark are three of a kind—all of them men who have become so much accustomed to purchasing what they want that, when they think of a seat in the Senate as a very desirable thing, they naturally think also that a good deal of money will have to be put out to get it. To no one of the three does it seem to have occurred that there is any more moral wrong in buying a Senatorship than in purchasing a fast horse or ordering a steam yacht.

Open and gross bribery of this sort, on the wholesale scale practised by Addicks in Delaware, and, even more flagrantly, by Clark in Montana, is so offensive to the public that no man who practises it is likely long to retain a seat if he once gets it. The real peril from the use of money to obtain Senatorships comes in less obvious and scandalous ways. The Committee on Privileges and Elections propose to declare Mr. Clark's seat vacant on the general ground that his extraordinary political expenditures before election prevented a free choice by the Montana Legislature of the United States Senator. If Mr. Clark shall not resign, the Committee's motion will be sustained by not a few Senators who have themselves made extraordinary political expenditures before their election which equally prevented a free choice by the Legislature.

The rich man who has more delicacy of feeling and a clearer perception of popular sentiment than either Addicks or Clark keeps the process of bargain and sale from the public eye. He does not send out agents openly to hand over hundreds of thousands of dollars to an individual member for his vote. He begins buying his Senatorship years before the seat is to fall vacant. He makes large contributions to the party campaign fund in every contest, and always responds to any call for funds which the managers make in a sudden emergency. If his State be one in which a third of the State Senate is chosen each year, he will "take an interest" in the nomination of candidates for the first third and the second third of the body that will elect a Senator, two years and one year before the general public has begun to think about the matter. These candidates will receive from him generous checks toward their campaign expenses. A year before the Legislature which elects is actually chosen, if it be a State where the lower branch is elected annually, he will look out with equal care for the nomination of members who are likely to be re-elected a twelvemonth later, and they also will find their campaign expenses provided for. The result of all this, supplemented by special efforts when the Legislature which elects is finally made up, will be that the ablest man in the State will stand no chance in the party caucus beside this rich man, even though the latter be of very inferior ability. There has been no bribery in the usual sense of the word, but the seat in the Senate has really been bought.

It is through such use of money by business men of good standing that freedom of choice when a Senatorship is at stake is most restricted in States like Rhode Island, New Jersey, and Michigan. What we need in public life is the man of character and ability and independence—such a man as Representative Littlefield of Maine, for example, who was renominated by acclamation and with enthusiasm last week. But such a man would stand no chance of securing a Senatorship in a State where the votes of legislators are virtually mortgaged to a rich man before their election. Fortunately, notwithstanding the rise of the machine to unquestioned power in some States, and the illegitimate use of money in others, there are still many commonwealths where a poor man with a mind of his own may carry the day. In New England, Rhode Island is an exception to the rule, with almost every Senator from the rest of that section a poor man. A year ago last winter Indiana elected a young man without any money. Illinois has never known the sale of a seat, nor Iowa; indeed, it has been the rare exception in all that part of the country when a man who was rich obtained his seat solely for that reason, the late ex-Senator Sawyer of Wisconsin having other qualifications than wealth.

On the whole, the outlook is rather encouraging. Kansas, for example, is not to-day a State where a Caldwell could secure an election. The great difficulty with which we now have to deal is the use of money in ways that do not challenge the public notice nor offend the public taste like the open buying of legislators, but which equally rule out the poor man of ability and merit.

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ARBITRARY TAXATION.

The principle of the law taxing "special franchises" in New York is in accordance with justice. No one can dispute the fact that when a privilege, which is commonly an exclusive privilege, to make use of the surface of the streets and public places of a city, or of space below or above that surface, is granted to private citizens, a right of property is conferred. When a city is steadily growing in area and population, such a right of property tends to increase in value, just as the value of real estate in general tends to increase. The only ground on which the grant of such a privilege can be defended is that it is for the public benefit. The use of the privilege involves the exercise of the right of eminent domain, which is properly the prerogative of the state, and the grantee of the privilege holds it as a trustee of the public. Such a grantee is justly entitled to a reasonable compensation for all that is expended in improving the grant, but not to inordinate profits. The private owner of land is lawfully entitled to all increase in its value, even if that increase is due to the industry of others more than to his own. But the holder of a special franchise has an inferior title.

These principles have received a striking illustration in the case of the Manhattan Elevated Railway. The extension of that road to the northern part of the island, some twenty years ago, caused a prodigious increase in the value of up-town lots. Harlem was built up by it, and to a considerable extent it may be maintained that the increase in the value of real estate in that quarter, although it lawfully belonged to the owners of the land, would be more equitably regarded as the property of the owners of the elevated railway in the sense that they created it. The law not only does not recognize this claim, but also allows abutting owners damages for the deterioration in the value of their lots from the operation of the railroad, and it is stated by the counsel for the road that it has paid $8,000,000 in settling such claims, while those outstanding amount to $4,500,000 more. The position of this corporation is therefore exceptional. It has paid great sums for the exercise of its franchise, and will pay much more, while the surface roads were exempted many years ago from such liabilities. They have made some payments to the city, but not to abutting owners, while the Manhattan Company has paid both.

The State Board of Tax Commissioners appears to have paid no attention to these facts, and to have assessed the Manhattan Company at a valuation of over $55,000,000 in an arbitrary manner. It fixed the valuation of the Metropolitan system at $62,000,000, an increase of $57,000,000. The gross earnings of this system are about $14,000,000. If the tax rate is 2½ per cent., the company would pay 11 per cent. of its gross earnings and 20 per cent. of its net earnings. Some of the lines in the Third Avenue system are assessed at figures which would make their operation a losing business. The same is true in the case of the Brooklyn Rapid Transit system, which operates many roads of great length, simply because they are connecting links between the centre of Brooklyn and outlying districts. The company receives no short-distance fares on these lines, and they barely pay operating expenses. If it is compelled to pay taxes on a valuation of over $30,000,000, its property will be practically confiscated.

To the injury done by their arbitrary assessments, the State Tax Commissioners added what is little less than insult. They were asked to give some information as to the principles which they followed in fixing valuations, but they took the position that the law did not require them to give this information. Technically, they may be right; but if their object were to arrive at just results, they would give this information without being asked for it. It is necessary, not only for the purpose of enabling the corporations assessed to show in what respect, if any, the principles followed are incorrect, but also that the public may be enabled to judge whether justice is being done. One of the greatest evils in taxation is inequality of assessment; and if no principles are recognized by assessors, it is impossible to point out unfair discriminations. It is uncharitably said that the Tax Commissioners refused to state what principles they followed, because they did not follow any. We need not assent to this view, but the refusal of information gives color to it. It is certainly true that it is impossible to tell from the assessments which they have made what method of valuation was adopted. Possibly, if the Commissioners would reveal the processes by which they reached their conclusions, their valuations might appear reasonable, but with such light as we have, they seem altogether unfair. They are not proportioned, either to gross earnings, or to net earnings, nor yet to intrinsic or market value.

Not the least of the evils of arbitrary assessments is the outrageous burden which they impose on individuals. It is the practice of the authorities in this city to assess personal taxes by guesswork. They apparently take the city directory and select a certain number of victims. They assess these persons at $5,000 or $10,000, or whatever sum they choose, without any reason. They argue that some of these persons will own the property attributed to them, and will pay their taxes, and that those who have no property will come up to the tax office and swear their taxes off. They calculate that it will cost at least $25 for a non-resident to employ a lawyer to have his assessment vacated, and that in many cases citizens will rather pay than fight. The result is that comparatively poor people often pay excessive taxes. Such people will generally pay a good deal rather than be involved in a lawsuit. Rich people are able to resort to the courts and obtain justice there, after a fashion, but they have to pay roundly for it. And, after all, it is very imperfect justice, for, beyond question, great numbers of people do not pay their fair share, thus making the burdens of others excessive.

It is especially important, now that this great experiment of taxing special franchises is begun, that the assessments should be universally admitted to be fair. If they do not commend themselves to the public sense of justice, the law will lack the support of public opinion. If they are not recognized by the corporations as based on some reasonable principles, and as free from partiality and discrimination, the corporations will be tempted to resort to corrupt means for protection.

SOME HISTORICAL PARALLELS.

The English people, to judge from their current periodical literature, are as deeply absorbed in the South African struggle as the people of this country were in our civil war. All other subjects are subordinated to this in the daily press, and the number of excited and enthusiastic citizens who relieve themselves by writing letters to the newspapers is countless. The last issue of the *Nineteenth Century* contains no less than seven consecutive articles dealing with various aspects of the military situation, and the other reviews are not much behind in the amount of space which they devote to the matter. But we must remember that the last war which really came close to the English heart was that of the Crimea, which ended almost forty-five years ago. The lapse of such a period means that only one person out of ten now living has experienced the deep emotion which thrills a people when a war really affecting the national fate breaks out. Those who remember our civil war know what that emotion is, and those who have never felt it can hardly understand it.

Some interesting analogies between our struggle and that in which England is now engaged are pointed out, by Major E. S. Valentine, in the April number of the *Fortnightly Review*. He begins with this quotation:

"The object of the present war differs from those in which nations are usually engaged mainly in this, that the purpose of ordinary war is to conquer a peace and make a treaty on advantageous terms. In this contest it has become necessary to crush a population sufficiently numerous, intelligent, and warlike, to constitute a na-

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tion. We have not only to defeat their armed and organized forces in the field, but to display such an overwhelming strength as will convince all our antagonists of the utter impossibility of resistance. Our later reverses make this course imperative. Our foreign relations also imperatively demand that the military action of the Government should be prompt and irresistible."

These words sound as if they were spoken yesterday in the British Parliament. In fact, however, they were written on the 4th of August, 1861, by Gen. McClellan to President Lincoln. When the rebellion broke out, many people in the North supposed that it would be quickly suppressed. Secretary Seward put the time necessary at ninety days, and Horace Greeley gave the rebels "six weeks to capitulate." "On to Richmond" was the cry, until the Bull Run disaster sobered the Northern people. They realized that their task was to be more difficult than they had supposed, that they had begun it without sufficient preparation, and they learned at the same time that their defeat had been heard of with pleasure by the European states. Our Government had not made itself beloved abroad. It was looked upon as an ambitious and grasping Power, and its humiliation was regarded as a proper punishment for its haughty spirit. This experience has been repeated in current history, and England has found that she has underrated her enemy and overrated her own preparation, while the other peoples of Europe openly rejoice in her discomfiture.

In many other respects, Major Valentine shows that the task of our generals resembled that which is now before those of England. The Confederate soldiers were like the Boers, horsemen and riflemen by natural training. They were used to poor and scanty food, and could subsist without pay. They were fighting on their own ground, in country which they knew without the aid of maps, and where the inhabitants of their own race sympathized and aided them, while the subject blacks were generally disposed to assist the invaders. They were less intelligent and disciplined than the Northern troops, but they were fighting by their own homes and in a climate and under conditions to which they were inured, but which were strange and noxious to their foe. As the numbers of the Confederate armies were exaggerated by the people of the North, so the English appear to have overestimated the size of the Boer armies. And as the English now confide in the 200,000 men whom they have sent to South Africa, so did the Northern people rely on the number of their recruits. Yet Gen. Sherman said that, while our paper armies were very large, at no time during the war were more than one-half of the men receiving pay engaged with the fighting army at the front, and this half was subjected to the further diminution of 33 per cent., because of sickness, furloughs, and detachments. "To this cause," according to Gen. Sherman, "may be traced some of the worst failures, when the Government and people behind pushed their officers on, supposing that figures could handle muskets and fight battles."

An English clergyman in the Cape Colony suggests another parallel, which we are unable to accept. He declares that the war against the Boers is a war for the emancipation of the blacks. He repudiates all suggestions of material gain, all intimations that the capitalists and gold-mining companies are interested in the war. The real underlying cause, he says, is the native question. To the Briton, the natives in South Africa "form a subject race bound to him by the ties of common humanity." To the Boer, the native is only a "black creature," created to be a hewer of wood and a drawer of water. "The difference between Briton and Boer in dealing with natives is irreconcilable and fundamental." To illustrate this difference Canon Wirgman tells a story of a Boer's finding a native reading a book, and dismissing him at once from his service. A British farmer, the Canon says, would not have turned off a decent laborer for knowing how to read, although he would be on his guard against any misconduct "on the part of a semi-educated native, who, if he is inclined to be bad, is more difficult to deal with than an uneducated savage, because knowledge is power." Such a difference in dealing with the natives as this suggests is hardly fundamental enough to cause a war. It reminds us of Carlyle's explanation of the issue of our war: Peter of the North quarrels with Paul of the South because Paul hires his servants for life, while Peter hires them by the year.

It is true that the civil war in this country did not begin as a war for the emancipation of the slaves. But hatred of slavery was the motive which strengthened the heart of the North, and the arrogant spirit of slaveholders brought on the conflict. We fear that the native Africans are harshly treated by the Boers. But when we read of the stockade at Kimberley in which the workers in the diamond mines are confined, of the methods by which laborers are procured for the gold mines of Johannesburg, and of the demands for compulsory labor by the natives made by the speculators at Buluwayo, we can hardly accept Canon Wirgman's view, that "the British Empire is waging a holy war for the cause of freedom and justice to the native races of South Africa."

MASSON'S NAPOLEON.

PARIS, April 6, 1900.

The indefatigable Frederick Masson continues his publications on Napoleon and his family. Notwithstanding this writer's defects as a literary man, the fatiguing profusion of the details in which he delights concerning things purely material, such as dress, furniture, costume, etc., his books have a very great success, for he deals with very interesting people. His style is not good, nor sometimes even very correct, but his materials are solid, his erudition is not borrowed, he always takes the trouble to go to the root of every subject. Though, as a whole, his work, when finished, will be a lasting monument to Napoleon, the Bonapartists are finding fault with M. Masson, and complain of his severity. He replies:

"If I am reproached with some harshness of judgment, it is not with me that certain people must find fault, but with the facts; these speak, I listen, and merely translate their language. If people find some exaggeration in the conclusions which I draw from certain events, I beg them to wait before judging me for the end of my work. If, without contesting the facts or my conclusions, they think that all truth is not made to be told, and that I have uttered too many truths, let them allow me to answer that Truth is a whole, that history is only made for her, and is rendered legitimate only by a writer's independence; that, having found a fact, discovered a thought, or even felt an impression, if I concealed a part of it and hesitated to show truth as it appeared to me, I should be, in my own eyes, only a miserable pamphleteer or a despicable courtier."

M. Masson's work began with the publication of two volumes on Napoleon and his family, between 1769 and 1802, and between 1802 and 1804. The third volume, just issued, covers the period between 1805 and 1809. It begins with the constitution of the kingdom of Italy. Napoleon proposed to establish his brother Joseph as sovereign of the new kingdom. Joseph at first accepted, but, after a discussion of the pragmatic sanction, he refused. Italy was then offered to Louis, for his son; Louis refused. Then Lucien had the offer, on condition that he would separate from his wife, as Napoleon had never recognized his marriage. Lucien would not accept this condition, and finally Prince Eugene was made Viceroy. In reality Napoleon kept all the power to himself, and the functions of the Viceroy were almost purely representative. The Italian confederacy was attached directly to the French Empire, thus paving the way for the unity of Italy. Prince Eugene and Eliza were mere delegates of the Emperor. What remained—Tuscan, Austrian, or subject to the Pope—would some day, in the Emperor's mind, be neutralized or even absorbed, and M. Masson does not hesitate to consider Napoleon as the precursor of Italian unity. "By him, by him alone, Dante's Beatrice was taken out of the sepulchre where she had lain for twelve centuries:

> 'Sopra *candido* vel cinta d' oliva
> Donna m'apparve, sotto *verde* manto,
> Vestita di color di *fiamma viva*'—

white, green, and red—and such is the Italian flag."

Caroline Bonaparte was married to Murat; he had a revenue of more than a million, and the Emperor gave them the Élysée. This palace (which is now the residence of the Presidents of the Republic) had been sold as national property, and given up to shopkeepers and let in small lodgings. The park was open to the public, and every Sunday there was dancing in it. The Murats repaired the Élysée at great expense. Eliza received from her brother the Principality of Piombino and Lucca. Pauline, familiarly called Paulette in her family, bought a magnificent hôtel in Paris, with

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the help of her brother; she was a pure Parisienne, fond of dress and amusement, and did not care for distant principalities. The Emperor's mother, called officially "Her Imperial Highness, Madame, mother of the Emperor," received an immense establishment, with numerous retainers. She abandoned not without regret her home at Ajaccio; she was a true Corsican, but she consoled herself by accumulating as much money and jewelry as she could. When she was complimented by some compatriot on her grandeur, she used to say, with her Italian accent: "Pourvu que ça dure."

Jerome Bonaparte was in 1804 in America, where he married Miss Patterson, with official announcement to his family. The First Consul sent him an order to return to France, in his capacity of lieutenant in the navy, by the first ship. Minister Decrès enjoined on the French agent in Washington to make no more payments to Jerome. "What the First Consul prescribes above all is, that you forbid all captains of French ships to receive the young person to whom Citizen Jerome has united himself; his intention being that she should not enter France, and, if she arrives there, that she should not land, but should immediately be sent back to the United States" (April 20). Jerome did not immediately obey, and when the Empire was proclaimed, he was excluded from the line of heredity. By a decree rendered in the Council of State, the Emperor forbade "all officers of the *état civil* of the Empire to receive on their registers the transcription of the act of celebration of a pretended marriage contracted in foreign parts by Jerome Bonaparte." Jerome sailed from Baltimore with his wife and his brother-in-law on the brig *Erin*, belonging to Mr. Patterson, and entered the Bay of Lisbon. He asked the French Chargé d'Affaires, Serurier, for passports for himself and his wife. Serurier had his orders, and refused the passport for Miss Patterson, as he called her. Jerome sent his wife to Amsterdam and himself left for Italy, where the Emperor was staying at the time. A negotiation took place between them; meanwhile, his wife was obliged to seek refuge in England. She took a house at Camberwell, where she gave birth to a child, who was named Jerome Napoleon.

Jerome could not obtain from his brother a recognition of his marriage; he wrote to his wife long letters, trying to make her bear her fate in patience. These letters are published at length by M. Masson, for the first time. They are dated from Genoa July 20, 1805; Paris, October, 1805, October 6, 1805, and October 16, 1805. In this last letter he says:

"Be easy, my Eliza. After the war you will see your good husband again. . . . Teach our child to love and esteem his father and tell him: 'Your father will always prefer you to greatness, fortune, to all the state of high rank.' Leave you, my good wife? I never had this fatal thought; but I must behave as a man of honor, a brave and loyal soldier. I deprive myself of my wife, of my son, to go to war and defend my country; and, after having fulfilled my duty as brother of the Emperor, I will fulfil those of husband. . . . I love my country, I love glory, I have an inviolable attachment to my sovereign and my brother, but I love them as a man who, accustomed to fear nothing, will never forget that he is the father of Jerome Napoleon and the husband of Eliza."

Jerome, by Napoleon's order, asked Miss Patterson to leave England. "We imagine," she wrote from Camberwell on August 14, 1805, "that Bonaparte [Jerome] is in a measure a prisoner, and we must wait patiently to see how he will behave." She felt that there was for herself some inconvenience in leaving, but the request of her husband was formal, and she returned to Baltimore at the end of 1805. Meanwhile, Jerome had been appointed captain of a frigate, his brother having predestined him to the command of a fleet. He made a campaign on board the *Veteran*, but he did not much like the sea, and returned to France without orders. To his great astonishment, he was very well received by the Emperor. A week after his arrival in Paris, articles of marriage of Jerome with a daughter of the King of Würtemberg were signed. Curiously enough, one of the reasons given to the official of the diocese of Paris for the annulment of Jerome's former marriage was the religion of Miss Patterson, who was a Protestant; but the German Princess of Würtemberg was also a Protestant. Napoleon was satisfied. He writes to Joseph: "Jerome has landed. I have recognized him as a Prince, and I have given him the great cordon of the Legion of Honor. I have arranged his marriage with Princess Catherine, daughter of the King of Würtemberg." "I am very well satisfied with Jerome," he says to his brother Louis. He announced to Jerome that he would give him a million a year, and named his household, almoner, chamberlains, equerries. A few days afterwards, the official of the diocese gave his sentence, declaring the nullity of the marriage contracted between the minor Bonaparte and Elizabeth Patterson. The Princess to whom Jerome was affianced was two years older than he; the marriage was deferred for some time by the necessities of war.

M. Masson joins to his narrative a long appendix on the incident of Eliza Patterson, containing a series of inedited documents, which establish, he says, for the first time in a complete manner the respective parts played by the Emperor, Jerome, and Miss Patterson. The documents will undoubtedly be found interesting in America as well as in France. The relations of Miss Patterson with Turreau, the French Minister, are a curious imbroglio. A plan seems to have been formed to draw Miss Patterson and her son to England in order, says Turreau, "to make of that child afterwards and according to circumstances, if not an instrument of trouble, at least an object of disquietude for the Government of France." There was a question of marriage of Miss Patterson with the son of Sir Thomas Graves, an English Admiral, who had estates in America. Miss Patterson informs Turreau that there is nothing in that rumor, but that Sidney Smith proposed to her to come to England, where she had seen him before. Miss Patterson wrote to the Emperor, and he received her letter at Bruges. He wrote to the Minister of Foreign Affairs, charging him to give these instructions to Turreau: He would receive her child in France with pleasure, take care of him, and assure his future. "Il faut du reste," he wrote, "traiter cette affaire doucement et secrètement." In a letter addressed to Eliza Patterson from Cassel on November 22, Jerome protests against his son being placed in any other hands than his own or the mother's. "Who knows what would become of him, or would answer to me for an existence which, anywhere but among his father's or mother's people, it might be an object to terminate?" He invites her to come to Westphalia, the only country where she would be certain to be free. Eliza did not speak to Turreau of the propositions made to her by the King of Westphalia; she continued to remain through him in relations with the Emperor, and accepted a monthly pension of 5,000 francs paid to her by Turreau. Jerome reproached her for having accepted from the Emperor what she had refused from him; their correspondence ceased, and she began a suit to obtain her divorce in Maryland. After it was pronounced, she continued to call herself Eliza Bonaparte; such, at least, is the name that figures on the receipts for her pension, which was paid till September, 1814.

Correspondence.

IS IT JEFFERSON'S?

To the Editor of The Nation:

Sir: The following letter is known to me only as a transcript made some fifty years ago. I do not trace it in any collection of Jefferson's letters, nor is it printed in the Life of Samuel Adams. A known letter of Jefferson to Adams dated February 26, 1800, says: "A letter from you, my respectable friend, after three and twenty years of separation, has given me a pleasure, etc."—pointing to an opening of a correspondence. The tone of the doubtful letter is one which would be used by a member of the Constitutional Convention, and yet has some traces of Jefferson's style. Perhaps its publication will lead to some account of its origin and history. Worthington C. Ford.

Boston, March 26, 1900.

The following letter from Thomas Jefferson to Samuel Adams, dated in 1799, is said to have been found among his papers. It has been circulated lately in New York, and probably a copy of it may be here. This was received yesterday:

Dear Sir

Your letter has been on my unanswered file longer than I intended,—but many causes have combined to keep it there.

The importance of your questions required reflection previous to a reply, and a careful review of the spirit of compromise which governed the convention in drafting the Constitution.—I am happy to say I can agree with you in your leading points nor will I shrink from the conclusion you intend me to arrive at.—It was at the time well understood by us, and my private opinion remains the same.

All men, without distinction of colour, ought to be free, and they will be so, gradually but surely. Provision is made for this purpose in the Constitution, which on examination it will not be difficult to discover, and you will see, at the same time, how gently and sagaciously this delicate subject is treated.—I would premise that the word Slave is no where to be found in the instrument. It could not be recorded there for we were ashamed to use it.

You have called my attention to certain extracts, some of which I here quote, with a remark or two on each.—In the first place.—In the Preamble—"We the People of the U. S. in order to secure the blessings of liberty to ourselves and our posterity do ordain and establish this Constitution for the United States of America."—By the "*People*" is understood every "*Person*" living or claiming to live within the jurisdiction of the thirteen states. The use made of the word "Person" you will see hereafter.—In Art. 1st Sect. 2d "The House of Representatives shall be composed of members chosen every second year by the "*People*" of the several states, and the electors in each state shall have the qualifications required for electors of the

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most numerous branch of the state Legislatures."—"No *Person* shall be a Representative who shall not have attained the age of twenty five years," &c.—"Representatives and direct taxes shall be apportioned among the several states which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons. *including those bound to labour* for a term of years, and excluding Indians not taxed, three fifths of all other *persons.*"—Here it is clear that "*People*" and "*Persons*" are identical,—the first including the whole mass,—the last, the individuals which compose it.—

In regard to "*Persons*" though all have some rights, yet there is an inequality in their distribution, but an inequality which has a termination. —Thus "no person shall be a Representative until he shall have attained the age of twenty five years." Here is a limitation of a right which age alone can remedy. The right of Representatives is also a limited right,—it is what the state Legislatures may choose to make it for their most numerous branch of the state Legislature. Free persons, and those bound to service for a term of years, and three fifths of other persons have it,—but Indians not taxed, and two fifths of other persons are temporarily excluded. I say excluded for a time, since any State may change it by extending its qualifications of Electors to its whole population, and because when Indians are taxed, and when the condition of certain persons is changed, if it be nothing more than being held to service for a term of years, or for life, they also have the right. —And when this last is attained, then the fundamental principle of the Constitution will be carried out.

In Sect. 9th.—The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by Congress prior to the year 1808, but a tax or duty may be imposed, etc."—This section was drafted in the very spirit of compromise. It gives a plain but delicate intimation that Congress claimed to bring *all persons* of the population of the United States within a given time under the Ægis of her rule and protection.—It is a declaration of the repugnance of the Union to the condition of certain persons, in certain states, and of a desire to have that condition altered.—Their importation after 1808 is prohibited, but no statute may for years be required to restrain their removal from one state to another. The terms *emigration* and *migration* were logically examined and weighed. The first was held to be a removal from ones native country to a foreign country, and the second a removal from one section to another of a common country, This last was therefore selected as peculiarly applicable to the case.—It has this meaning or none.—The right of Congress to prohibit such importation altogether, after a certain year, carries with it the minor right of making regulations for the benefit of persons imported prior to that year, and this fact brings us back to the 2d Sect. where an inducement is held out to the States to begin the work themselves by changing the condition of such persons to labour for a term of years, or for life, and thereby increasing their ratio of Representation.—Should Congress, at any time hereafter do this, a similar result must follow.—

In Art. 4th Sect. 2d. "The Citizens of each State shall be entitled to all privileges and immunities of Citizens in the several States," and "no person held to service or labour in one state, under the laws thereof, escaping into another, shall in consequence of any law or regulation therein be discharged from such service or labour, but shall be delivered up on claim of the party to whom such service or labour is due."—

This article was never liked, but its force and bearing were seen too late for amendment. It has always been to be feared that the Judicial Courts of other States might construe the words "held to service or labour" etc. as applying to that ameliorated condition of the slaves referred to in he 2d Sect. of Art. 1st under "persons bound to labour for a term," the whole population being thus classed in four conditions, Viz^{t} 1st Free persons.—2d persons bound to labour for a term of years. 3d Indians not taxed, and 4th other persons, and might decree, that additional protection was a result, or to follow a change of condition, and applied only to the 2d class of persons into which the people were divided. Additional security to the Master, following additional privileges given to the slave.

Sect. 4 declares—"The United States shall guarantee to every State in this Union a republican form of government."

Art. 6. That "This Constitution, and the laws of the United States which shall be made in pursuance thereof, shall be the supreme law of the land."

Art. 5. of amend^{t}. That "No person shall be deprived of his life, liberty or property, without due process of law."—

From the above you have selected the words—"The Citizens of each State shall be entitled to all privileges"—"The United States guarantee a republican form of Government."—"The Constitution the supreme law"—"No person shall be deprived of his liberty without due process of law"—and you have called them the four corner stones on which is hereafter to be erected the beautiful fabric of Universal Freedom.

America has proclaimed that all men are born free and equal, and the design and end of her Constitution is to make them so.—The compromise in it should be kept inviolate—and so it will be,—but 1808 must open a new era to the world. From that year slavery is abolished, and the work of emancipation begins.—Every child who after that period shall be born in the United States is an American Citizen, whether white or black, mulatto or quadrone,—and entitled to all a citizen's rights and privileges.—It is his birthright—and he cannot be deprived of it —It is inalienable.—All nations have ever agreed to this, who have agreed in nothing else. It is universal law. Every child, then in 1809 & after, if born of a slave is not himself a slave, for the Constitution does not recognize slavery, but a citizen.—Being however without property, he may be held bound to labour or service, either by legislative enactment, or by contract, or by the tacit consent of his parents in order to pay for the maintenance of his helpless years, as is the case of an apprentice, and like an apprentice he comes under the class of persons bound to service for a term of years, but at the age of twenty one he must be free. And if this is true of the Africans, how can it be otherwise of the mulatto & the Quadrone? Indeed of them there can be no doubt in the mind of any one,—for where is the section in the Constitution which authorizes or allows *one drop of American blood or the blood of a white man to be held in slavery.* I know of no other construction which can guarantee a republican form of government to each of the States. Slavery of a part is utterly inconsistent with a common right to all, and man would be deprived of his right on account of the colour of his skin, without due process of law. But this is anticipating thirty years.

I have thus my friend met you on each point of your enquiry. I have given you my views concisely, but frankly and truly. I could easily have withheld them.—I trust however that they will be for your own eye, and not for the Public,—certainly not at the present moment. I would quiet your mind of all apprehension by showing you that the Constitution is sufficient for the purpose of Universal Freedom, more so, in fact, than if it had rudely pushed against an opposition, which time must weaken, and good sense and religion finally overcome. I venture to predict that before the present generation shall sleep with their Fathers, not a slave will pollute the soil of our Country.—

With the highest respect, your obedient servant and friend,

THOS. JEFFERSON.

MONTICELLO, 8 October, 1799.

SAMUEL ADAMS, Esq., Boston.

A STILL BETTER POSTAL CARD.

TO THE EDITOR OF THE NATION:

SIR: Your correspondent "L." asked the question, a week or more ago, "Why this splendid big nation, which gives itself every conceivable form of luxury, cannot manage to provide for its inhabitants a white postal card?" Many a man has had the same thought before, but has failed in his duty of asking the question aloud. Just such elegant white cards as your correspondent found in common use in England were to be seen there twenty-five years ago. May I add the further suggestion, that it is often important, sometimes vitally so, to have the official post-mark legible so as to show the date and place of mailing? But now the post-mark comes over the heavy letters of the printed matter, so that the date or place is often concealed. All this elaboration of words and meaningless lines is not only ugly to look upon, but quite unnecessary, for all essential words could be put where they would not interfere with the serious purposes of the card, and we could have a more practical as well as a better looking one.

J. G.

WORCESTER, MASS., April 12, 1900.

THE EPICENE PRONOUN.

TO THE EDITOR OF THE NATION:

SIR: I vaguely remember that, somewhere about the sixties, an ingenious gentleman proposed an epicene pronoun, declined (I think) thus:

Heesh=he or she.
Hizzer=his or her.
Himmer=him or her.

Example: "The teacher told John and Mary that he would punish himmer if heesh did not learn hizzer lesson."

Perhaps some correspondent of the *Nation* can supplement the deficiencies of my memory.

WM. HAND BROWNE.

BALTIMORE, April 9, 1900.

TO THE EDITOR OF THE NATION:

SIR: In line with "C. L. F.'s" note in the *Nation* of 29th ult., I would direct the attention of that Vassar College professor, who is in want of a common-gender pronoun, to that on pages 1877 and 2274 of the Standard Dictionary, namely *Thon*, because of the manifest improvement it offers on the word *it* used by her.

This pronoun—Thon—is commended by Prof. March and other distinguished philologists; is used by them and by certain college text-book makers and editors of orthoepic issues; and promises to attain general public adoption.

Yours philologically,

MRS. C. CROZAT CONVERSE.

HIGHWOOD, BERGEN CO., N. J., April 10, 1900.

Notes.

Little, Brown & Co., Boston, will publish in the autumn 'Chess Strategetics Illustrated,' by Franklin K. Young.

Prof. P. B. Marcou and Dr. J. D. M. Ford of Harvard University are at work on a Spanish-English Dictionary to be published by D. C. Heath & Co., Boston. Any contributions or suggestions sent to Professor Marcou will be thankfully received.

Mr. David W. Hoyt, Providence, R. I., compiler of the 'Old Families of Salisbury and Amesbury [Mass.], with some Related Families of Newbury, Haverhill, Ipswich, and Hampton,' a work of a high order of accuracy, brought down to the year 1700, is ready, in accordance with an expressed desire, to compile a second volume for the following century. It would partly amplify and correct the first volume. Mr. Hoyt will be governed in selection by the special in-

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terest of subscribers and the existence of trustworthy genealogies dispensing him from covering the same ground. The engagement to pay will not exceed five dollars.

Dr. Judson S. Landon's 'Constitutional History and Government of the United States' (Houghton, Mifflin & Co.) appears in a revised edition after eleven years. It has been considerably overhauled, and brought in a measure down to date, and fits in with the current worship of the Monroe Doctrine and of its negation, Imperialism. A shorter period, of seven years, has brought around a revision of Thomas Kirkup's propagandist 'History of Socialism' (London: A. & C. Black; New York: Macmillan), also accommodated to recent events.

Houghton, Mifflin & Co. have done well in reproducing, in handsome and convenient form, the essays and slighter prose writings of the late Edward Rowland Sill. The lightest of them is bright and agreeable reading, while some carry a weight of grave and instructive thought. Thus, in the paper entitled "Should a College Educate?" one sentence cuts right to the heart of an error too common in this country. The aim, says Mr. Sill, of the higher education, "is not merely to add something to the man from without, as convenience or equipment, but to produce a certain change in him from within, as growth and power."

The "Siddal Edition" of the verse of Dante Gabriel Rossetti (London: Ellis & Elvey) proceeds with a fourth volume, denominated simply 'Poems.' His brother William aims here and in the complementary volumes to mingle narrative and lyrical selections for "the reader's satisfaction"; and as classification is abandoned, so likewise is chronological arrangement, with the result that the present instalment exhibits samples of each of his three productive periods. But then a single poem might illustrate each period if worked over, as was the case with "The Blessed Damozel," written before the poet was nineteen. It is given here with "Dante at Verona," "Stratton Water," "Troy Town," sonnets "On the Vita Nuova" and "Dante's Tenebræ," and other pieces.

Two late additions to the Dent-Macmillan pocket "Temple Classics," a series to be desiderated as a whole, for form and substance, and as generally reproducing first editions, are Carlyle's 'Heroes and Hero-Worship,' with frontispiece portrait of Cromwell and an *index* (emphasis on that); and, with the poet's effigy, Cowper's 'Task,' plus the "Epistle to Joseph Hill, Esq.," "Tirocinium," and "John Gilpin," as in the edition of 1785. Every one of these poems has furnished a "familiar quotation," and the number of those derived from "The Task" is a wholesome lesson to latter-day versifiers who would shun the prosaic themes and titles which Cowper boldly faced. There are five pages of them in Bartlett's Dictionary.

A player's edition of Shakspere's "Taming of the Shrew" (Doubleday, Page & Co.) is fortified with a brief personal introduction by Miss Ada Rehan on her part of *Katharine*, and sundry photographic illustrations of herself and others in the characters of the play.

The 'Annual Literary Index' for 1899 has been issued from the office of the *Publishers' Weekly*. It consists of the customary two indexes, to periodicals and to general literature, united in an author index; of a list of Bibliographies for the year, a Necrology, and a Chronology of leading events for the year. The annual thus obviously commends itself to the student and book-lover as well as to the journalistic profession at large.

The character of the "Versailles Historical Series" (Boston: Hardy, Pratt & Co.) is well kept up in its concluding volume, which consists of free translations from Brantôme's 'Dames Illustres,' with alternate layers of commentary, chiefly from Sainte-Beuve. These versions, while making no attempt to reproduce the quaintness of the Abbé's French style, seem to show a greater security and precision of touch than was observable in some of the earlier volumes of the series. Altogether, the eight volumes of this handsome set are peculiarly adapted for family and popular reading.

L. Cope Cornford's 'Robert Louis Stevenson' (Dodd, Mead & Co.) is distinctly the best recent estimate of Stevenson—indeed, one of the best of the many which have been written. Beginning with a compact narrative of his life and the influence upon it of his heredity and environment, the author proceeds to examine him, as a man and as a writer, in a scholarly, painstaking manner, with real appreciation, and without the extravagance that has characterized so many of Stevenson's admirers. Gay courage in the face of a constant menace of death, and faithful service to his artistic ideals, are what this critic finds most conspicuous in Stevenson. To those who admire either his generous personality, his bravery of spirit, or his finished art, we commend this reflective and judicious essay.

Miss C. A. Hutton's 'Greek Terracotta Statuettes,' which originally appeared as a number of the *Portfolio*, has been issued in bound form (Macmillan). It is notable chiefly for its luxury of page and typography, and for the number and excellence of its illustrations. It contains eight colored plates and thirty-six individual cuts or figures, all of which are good examples of "process" work, and they give a comprehensive suggestion of both the variety and the charm of what are perhaps the most human expressions of Greek art. The most interesting portions of the text are those in which Miss Hutton discusses the subject from this point of view, and shows how these statuettes illustrate and supplement the scanty knowledge we have from literature of the every-day life and sentiments of the Greek people, especially the women. This can hardly be regarded as a new field of investigation, however, nor does she contribute anything new to it. As a whole, her work suffers by comparison with Pottier's masterly little manual, 'Les Statuettes de terre cuite dans l'Antiquité,' in which the same ground has been covered by one of the first living authorities on Greek terracottas, whose style has a simplicity and attractiveness which are rare in archæological literature. Neither directly nor indirectly does Miss Hutton give evidence of acquaintance with this book, though her own might have been improved had she been willing to profit by it.

A valuable contribution to financial science is made in 'Studies in State Taxation' (Baltimore: The Johns Hopkins Press). The volume consists of five essays prepared by students at the Johns Hopkins University on the methods of taxation prevailing in Maryland, North Carolina, Georgia, Mississippi, and Kansas. The essays are edited by Prof. J. B. Hollander, and, as he says, the arrangement and presentation of essential data must precede both scientific study and practical reform. The material gathered suggests the impracticability of constructing a uniform system of taxation for communities in which such different laws have so long prevailed.

To the series "L'Art et les Artistes" (Paris: Pavillon de Hanovre) Saint-Saëns has just contributed a second volume, 'Portraits et Souvenirs.' In his preface he says: "You will find a little of everything in this book—anecdotes, souvenirs of certain great musicians whom I have known, and some general criticism." The portraits are of Berlioz, Liszt, Gounod, Victor Massé, and Anton Rubinstein; the souvenirs are poetic suggestions from the life of an artist; and under the title "Variétés" there is a defence of opéra comique, a discussion of lyric and musical drama, a short critique of modern music, and a chapter on "L'Illusion Wagnérienne." After telling of his introduction to Rubinstein and conducting eight recitals for him at his request—"all my education as *chef d'orchestre*"—he concludes: "It seems to me that the fertility, the fine character and personality, those masterly qualities which must be granted to Rubinstein, place him among the greatest musicians of our time and of all time. . . . I count it an honor to have been his friend, and to my last day I shall be grateful for the sympathy he showed me, and for the intense artistic pleasure he gave me." At the age of twelve Saint-Saëns met Gounod, who was twenty-five, afterwards becoming "the recipient of his most intimate artistic confidences." A short sketch, among the souvenirs, "Une Traversée en Bretagne," reveals the writer's poetic temperament, and his prejudices against modern conditions in France, which keep him a constant traveller in foreign countries. "When money is the first consideration," he begins, "everything ends: art becomes Philistine, science is charlatanry, commerce is roguery."

Attilio Brunialti's 'Le Colonie degli Italiani' (Turin: Unione Tipografico-Editrice) proceeds from one who cut a considerable figure in the discussions which preceded and accompanied Italy's recent disastrous colonial expansion in Africa. The volume contains a good sketch of the Venetian and Genoese trading settlements of the Middle Ages, and of the Italian navigators of the Discoveries period. As for the Red Sea colonies of modern United Italy, they were acquired as appendages and ornaments of Italy the "Great Power," and were in no considerable degree the results of a natural flow of capital and emigration. On the contrary, it was believed that such possessions would bring into being the factors which have largely determined colonial acquisition elsewhere—*i. e.*, voluntary emigration of capital and labor, a growth of the merchant-marine, and a development of national industry. Force of example also played a great rôle in infecting Italy with the colonial fever. The colonies acquired are sterile and unproductive for the most part, have been a constant drain on the treasury of an overtaxed country, and have brought about military disasters hardly paralleled in the history of colonization. Crispi is severely blamed for this national humiliation. Brunialti bewails the fact that the flourishing natural colonies of the Italians in the La

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Plata region of South America have lacked encouragement of any kind; he shows by their history that they would have amply repaid such fostering care as has been productive of no good results in Eritrea. The work is incomplete only in its treatment of the colonial administrative and fiscal systems.

The twenty-fourth annual report of the trustees of the Boston Museum of Fine Arts shows increasingly the labor imposed on Mr. Edward Robinson, curator of classical antiquities. His description of the rich acquisitions of the year is as minute as it is learned, and is withal readable in no small degree. We may cite, among the inferior articles reviewed, the discussion of the use of the so-called plemochoë vase; of the Kabirion vases now first acquired; and of the amphora, probably by Andokides, notable for containing on two sides the same theme in the black-figured and again in the red-figured style—an almost unique example.

An attractive *Alaskan Magazine* has been launched at Tacoma, Washington, by Percival de Wolf Whitehead. It is in the main well written, and contains profuse illustrations of the striking scenery of the Territory and of the Klondike. The Palisades of the Skagway, Miles Cañon, have much the effect of a close-packed row of Memnoniums.

The *National Geographic Magazine* (Washington) for April opens with a clear, though not wholly unbiassed, account of the Anglo-Venezuelan Boundary dispute, in which the writer regrets the absence of a written opinion setting forth the facts and principles upon which the award was reached. He believes that it was an "exceptional opportunity to expound and establish principles of international law that would be most helpful in the future." Commander H. Webster contributes a rather slight paper, with some interesting illustrations, on Korea. He calls attention to the curious fact that an examination of a great number of graves showed that, not only in their shapes, but in their disposition and arrangement, they followed the outline of the tortoise, "even the serrations of the shell and the flimsy tail possessed by the animal" being carefully wrought out. Mr. C. W. Hayes, of the Geological Survey, discusses Prof. A. Heilprin's conclusions, published recently in the *Scientific American*, in regard to the assumed inconstancy in the level of Lake Nicaragua and its serious bearing upon the permanency of the projected canal. He presents some cogent arguments, from his own observations, to show that there is no evidence of any but slight seasonal fluctuations, and that the geologic conditions are such that they afford a promise of future stability. The region is therefore favorable for the construction and maintenance of a work such as the canal.

The *Association Review* for April contains a biographical sketch, with portrait, of William Thornton, our first Superintendent of Patents, who was also the author of the earliest American publication upon "the mode of teaching the deaf, or surd, and consequently dumb, to speak." It appeared as an appendix to his prize essay entitled 'Cadmus,' published in 1793, on the project of a phonetic reformation of the English language. There is also an account of Francis Green, and an interesting story by a deaf person, Miss H. Boyd, of her university experiences, at the close of which she expresses the conviction, encouraging to her fellow-sufferers, that "it seems to me the most natural thing in the world for a deaf person with brains to succeed at a hearing university, notwithstanding the difficulties sometimes encountered."

A correspondent writes: "In the number of the *Nation* for March 22 last, page 221, you ascribe to M. Dugard a little pamphlet which is the work of a very distinguished young woman, Mlle. Dugard, professor in the Lycée Molière, in Paris. I notice that *Le Temps* has committed the same error." The poor reviewer is ever liable to be thus misled by women who insist on sinking their sex in an initial.

—'The Northwest under Three Flags,' by Mr. Charles Moore (Harpers), does not relate, as might possibly be gathered from the title, to the far Northwest, but to the region between the Ohio and the Great Lakes. It is a popular account of exploration, settlement, and struggles for control, extending altogether from 1635 to 1796. Mr. Moore follows the French pioneers down to the time of Cadillac, then turns towards the western extension of the English colonies prior to the Revolution, and concludes with the winning of the Northwest posts by the United States. The Pontiac conspiracy is one of his specialties, and by laying a good deal of stress upon the Gladwin MSS. he makes out a story which does not create an unpleasant sense of imitation of Parkman. The latter chapters form, we think, the more valuable part of the book. We say this without trying to detract from the merit of Mr. Moore's writing where it concerns Marquette, La Salle, and Cadillac. He has read, and frequently quotes, the words of the explorers themselves. But this field has been so traversed by an eminent master that the author of an epitome is put at a disadvantage. Of Putnam, St. Clair, and Wayne Mr. Moore speaks with great sympathy, and here he is at his best. He thus recapitulates the share which the "makers of the Republic" had in the upbuilding of the Northwest: "In its defence Washington first learned the art of war; Franklin realized its possibilities and interested himself in its development; Patrick Henry planned with George Rogers Clark for its conquest; John Jay and Franklin and John Adams drew about it the lines of the United States; Thomas Jefferson bestowed upon it the inestimable boon of freedom; Washington's chief of engineers led its first settlers, and Mad Anthony Wayne subdued its savage inhabitants and received the surrender of its frontier posts." We have found few serious inaccuracies in Mr. Moore's text, although in our opinion he places too much reliance on Radisson's credibility, and we should not, following the chronology of Chief Justice Marshall, give 1498 as the date of the Cabot landfall. The choice of illustrations has, on the whole, been good; but several pictures of the imagination have been used and the reproductions are not of uniform excellence.

—From the collection of Lord Gower, the Boston Public Library recently obtained some manuscripts relating to the efforts of the royal officials in Massachusetts to suppress illicit trade and the issue of paper currency in the first half of the last century. These papers have appeared in the late issues of the Library Bulletin, and constitute new and very valuable contributions to colonial history, as all the dependencies were infected with smuggling and with the desire to wipe out debts with paper promises. Five of the documents are concerned with the evasion of the trade regulations, and, written as they were by the King's officers, naturally seek to enforce existing laws by giving larger powers to the courts. Not only does Gov. Shirley urge this, but his son-in-law, William Bollan, later a prominent favorer of the colonies in their contest with the mother country, points out the inability of the law officers to condemn with the existing machinery. As advocate-general he was in a position to know; but his views were strongly supported by Robert Auchmuty, Judge of the Admiralty in New England, who gave a valuable summary of the penalties imposed by the laws, showing how they were evaded by a weakness in the civil service. For the Rhode Island Collector rented his office, and the Naval Officer held his appointment, from the Governor, who was himself popularly elected, and did not dare offend his constituency by enforcing penalties. While the methods of smuggling were somewhat different in Massachusetts, the practice was quite as common, and, in the eyes of the Governor, threatened the welfare of the English commercial interests. In fact, the smuggler was merely protesting against artificial and unwise restrictions on trade.

—A greater evil was the resort to paper money, and an important memorial on the subject is included among these papers. Although undated, internal evidence shows it to have been prepared in 1741, and the facts and turns of language point to the well-known Dr. Douglass as the author or adviser. The unfortunate experiments in land banks in Massachusetts were still fresh in memory, and some sense of decency had been imposed on that province by the losses incurred. But Rhode Island was an unrepentant offender, and, as the memorial shows, the members of the Legislature voting the issues were the greatest gainers by their use. Debtors themselves, they sought to stave off the day of payment by excessive and unsupported "banks" of paper, all of which were loaned to themselves at moderate rates, and reloaned by them at very much higher rates of interest. The larger the issues, the greater the profit, and the notes went into the neighboring colonies to demoralize all effort to maintain a fixed relation between their notes and sterling. This important paper shows the machinery of making these issues, and proves how large a part politics played in their conduct. It may almost be stated that from 1690 to 1751 the debtor had free play in New England to avoid his debts and live on those who had some property.

—One might be disposed to question the right of a version produced in 1653 to be included in a series of "Tudor Translations" (London: D. Nutt), but criticism is disarmed when the book is Sir Thomas Urquhart's astonishing version of Rabelais. Rabelais himself—whom we will not here discuss—is likely to remain an insoluble riddle and paradox. Urquhart seems to have been his predestined translator; to have been compounded of the elements with that special end in view. A born Pantagruelist, with

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learning, humor, clear insight, an autocracy of language scarcely less than Rabelais's own, and more than probably a little touch of madness, he had shown his fitness for the task before he undertook it. A man who in almost his first literary attempt could brand the objects of his dislike as "pristinary lobcocks," gravitated to Rabelais as inevitably as the rivers flow to the sea. Born in Cromarty, Scotland, the descendant of an ancient family, and possessor of a pedigree in which was duly recorded every step of his descent from Adam, Urquhart, after studying at Aberdeen, undertook the grand tour then deemed indispensable to the education of a gentleman. He travelled on the Continent for years, collecting books, disputing theses, learning languages, and fighting duels, to come back at last to Scotland to find his paternal estate squandered and himself loaded with debt. His sympathies being royalist, he took the losing side in the civil wars, and between rapacious creditors and Cromwell's dragoons his precious books and manuscripts were swept away. But he bore a brave front against calamity, and, turning to his pen for solace, wrote books of the strangest kind, whose very titles make one stare and gasp. These are now forgotten; but in his Rabelais he has, as his editor says, "added an imperishable piece to the sum of English masterpieces."

—The violent protest of the most intelligent portion of the nation against the so-called Lex Heinze shows conclusively that the German people is still capable of rising in defence of its ideal possessions, that it has the courage to make its will known, and the power to check obnoxious legislation. This proposed law, which Prof. Virchow designates as "a symptom of that malignant disease, hypocrisy," would endanger free activity in art and literature, and, naturally, among the first to oppose it are the leading artists and men of letters. But all the higher vocations were represented among the thousands who met in the various cities to utter their indignation. Among the leading speakers in Berlin, Karlsruhe, Munich, Freiburg, etc., were university professors, teachers of the gymnasia and other higher institutions, members of the legal profession (several of them Government officials), and representative men of all classes. The resolutions passed were in some cases couched in such violent language that the President of the Reichstag refused to receive them on that ground—which did not lessen their effect in the country. At Munich one of the results of the agitation was the formation of a "Goethe-Bund" (with the venerable Paul Heyse as President), whose purpose is "to protect the freedom of art and science in the German Empire against attacks of every kind . . . by the use of all legal means." In that art centre 1,000 painters and sculptors signed a declaration of their own, besides joining in the vigorous protest of the people at large. It goes without saying that the legal code of the Empire is not lacking in provisions forbidding the sale, distribution, and exhibition of indecent pictures and literature; it is not the enforcement of existing laws that has aroused the people, but a proposed extension of them which would subject works of art to the censorship of an ignorant police. What the result of the passage of the measure would be is perhaps best indicated by an exhibit in a show window at Stuttgart, where the German flag waves over casts of the Venus of Milo and the Apollo Belvedere covered with black drapery.

—The study of ancient Japanese rituals, so patriotically begun and thoroughly accomplished during the eighteenth century by a noble succession of native Japanese scholars, and its substance reproduced in English, with original additions, by Mr. Ernest M. Satow (now British Minister in Japan) during the late seventies of this century, has been continued by Dr. Karl Florenz, Professor of Philology and German Literature in the University of Tokio. Dr. Florenz's paper on Ancient Japanese Rituals fills somewhat over a hundred pages in Part I., volume xxvii., of the Transactions of the Asiatic Society of Japan, dated December, 1899, and just to hand. The delay in publication has been justified by the insertion in the text of illustrations, both plain and colored, which give a vivid idea of the simplicity and significance of the ceremonies still continued in the Imperial Palace and at certain Shinto shrines. These, as we can testify, are very impressive. It is very evident that, in Shinto, the idea of sin never advanced much further than that of outward ceremonial pollution. Incidentally, it is shown that in these rituals lay the germ of a system of criminal law, the quiet national development of which was obstructed by the introduction of the Chinese penal code of the Tang Dynasty, promulgated in Japan A. D. 701. Dr. Florenz also proves that this ritual system of purification, in many instances specially enacted and compulsory, was made the vehicle for a widely extended system of "squeezes" in the interest of oppressive and corrupt people, both in and out of office. The paper is very valuable as throwing light also on the various systems of witchcraft which in theory and practice are still so general among the common people, especially in the rural parts of the empire. Dr. Florenz's paper is characterized by profound insight and accuracy, joined with wide learning and mastery of the archaic as well as modern forms of the Japanese language. Prof. Basil Hall Chamberlain contributes a note, with two fine illustrations, showing both the cock and the hen of the long-tailed variety of fowls in Tosa. This breed is believed to be at least one hundred years old. The body feathers, which sometimes fall off in moulting, reach the length of four feet, but the tail feathers, which do not moult, are from eight to eighteen feet in length. In Tosa, the price of a cock, with feathers under ten feet, is under ten dollars, and ranges, according to the feather's length, from fifteen to twenty-five dollars. A good hen can be bought for a dollar and a half. Kobe prices are higher.

GROSSETESTE.

Robert Grosseteste, Bishop of Lincoln. By Francis Seymour Stevenson. Macmillan Co. 1899. 8vo, pp. 348.

The beauty of a little volume, entitled 'Historic Personality,' that appeared in 1893 may bring it to the recollection of some of our readers. Its author was this same Mr. Stevenson. It was a book to be confidently recommended to persons suffering from aneurism of the aorta, to whom the smallest excitement might prove instantly fatal. To our apprehension, and we actually read it, it was an examination of the efficiency of the different means which a modern reader can use in order to recover an idea of the personality—the characteristic mental flavor, if we may say so—of any historic figure. That the author devoted thought enough to that problem to write a book about it, even if it was not a remarkably vigorous production, before he actually undertook a biography, will certainly predispose his former readers to sit down to the present work with appetite; and from the Addisonian style of the earlier writing they will expect to find his pen now gliding along as smoothly as a canal-boat. In truth, it moves somewhat quicker now, without always stopping to choose a classical word. Expressions such as "Grosseteste was not popular with the King," the displacement by "state" everywhere of "assert," and the like, seem not to annoy the denizens of a humid isle whose sky is never very bright and where nerves grow rank. The pen is impelled by a purpose now, an animating one. The reader certainly cannot but become mightily impressed with the historic personality of this Robert of Lincoln, who, in the first half of the thirteenth century, when the conception of truth was but half-developed, had such a dominating sense of the reality of facts, especially of the deeper facts of human life, as to shake every man that came near him into earnestness and reverence. It is startling to come across in that age his two maxims, never to accept a sentence from an authority without taking account of its relation to the entire substance of the book from which it is quoted, and never definitively to accept any statement of natural fact without having tried the experiment to see whether it be really so. Very modern, too was his reply when accused of acting without precedent: "Every new thing that instructs and advances a man is a thing fraught with new blessing." His very style reflects his sense of truth, so weighty is it and so free from the exaggerations and flamboyancies of contemporary writing. Here is a fair specimen translated by Mr. Stevenson:

"I know that the perils of an exalted station are neither few nor inconsiderable. I know its pitfalls, how hard it is to repress pride, how rare is the sense of one's own weakness, how easy it is to feel contempt for others, how difficult to adapt oneself to the needs of the weaker brethren; it is the shadow of power, and the reality of servitude. I know also from experience, and still suffer from the knowledge, how many thorns there are in riches, how many occasions they afford for acting wrongly, how often they are misused, how true it is that they impoverish instead of enriching their possessors, and how those same possessors, who are really themselves owned by the wealth of which they are the reputed owners, find their intellects blinded and rendered torpid and dormant."

The see of Lincoln, to which he was soon after raised, was in those days one of the richest in Christendom.

In his early years, before the star of Albertus Magnus had culminated, he was acknowledged to be the greatest scholar and philosopher in Europe, pitiable as it is now to consider in what that pitch of learning consisted. He was a man of rare urbanity, refinement, and cultivation. All this must have disposed him to sympathize with the Benedictines and other monks, both as against the friars and as

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against the secular clergy. The people, too, loved the monks, and he was sprung from the lowliest of the people. But, to his eye, the moral well-being of the commonalty of England was an object so immensely greater than any learning could be, whether in theology or in other science, that he seemed to the monks to be systematically persecuting them, so insistent was he that their duties to the common people should be done. He was sedulous to invite educated men to his diocese; and perhaps half-a-dozen cases might even to-day be specified in which he made allowances to young men from his private purse to enable them to take the course in theology at Oxford preparatory to receiving livings under him. The large amounts of such allowances are notable, by the way. He wished them not only to live, but to live respectably. Yet when William of Cerda replied to his invitation that he was giving a course of lectures in theology at Paris, and therefore could not come, Grosseteste, after praising his zeal for teaching, reminded him that "Our Lord said to the chief of the apostles, 'If thou lovest Me, feed My sheep,' not 'If thou lovest Me, lecture from a professor's chair to the shepherds of My sheep.' The pastoral office is of more importance than the professional." Matthew Paris hated Grosseteste with a true monkish hatred, letting slip no opportunity to tell an anecdote to his disadvantage. Yet the chronicler's reverence for the Bishop, and manifest sense of his superiority to other men, are the best possible evidence of the greatness of his personality.

Another respect in which Grosseteste was superior to his age was in not believing in the sanctity of squalor. He was a hearty friend to the mendicant orders—with the Franciscans, quite bound up from the time when they landed just as his more active life was beginning at fifty years of age. He had welcomed the Dominicans four years earlier. Nothing angered him more than to see a friar cutting a dash in fine raiment and luxury. He was well acquainted with poverty, and knew its sweet uses. But he equally knew the utility of the comforts of life. When the Franciscans built a house in Oxford, he vainly urged them to consider sanitary conditions. With all his inflexible sternness where the well-being of the people was attacked, and though he had proved himself man enough to return almost to penury from wealth upon a point of conscience that he held to be doubtful, he wished his clergy to live well, and expended the reservoirs of his tremendous energy to bring that state of things to pass. "Three things," he said to a Black Friar, "are generally necessary to salvation *temporal*—food, sleep, and good humor." He once borrowed the Countess of Leicester's cook, and, concluding that a good table was more important to his position than to hers, asked leave to retain the man permanently, to which she responded, like the great lady she was, that were her servants good enough she would rejoice at any opportunity of placing them all at his disposal. Having once occasion to impose penance upon an ascetic, he directed him to drink a cup of Burgundy, and told him that if he would often undergo the same mortification he would have a better ordered conscience.

His courage never found its limit. An accomplished diplomatist, he ever preferred an arrangement to a quarrel, but not always to the postponement of a quarrel. There can be little doubt, we think, contrary to Mr. Stevenson's opinion, that upon one occasion he bargained with the Pope that he, as Bishop of Lincoln, should favor and aid in the collection of an almost intolerable tax upon the English church, in return for a decision in his favor of a process before the papal court. We think there can be little doubt of this, for the reason that it is as plain now as it was then to all parties, that the decision would infallibly be rendered in favor of the one who offered the higher bribe. But the truth was that, notwithstanding the burden upon his clergy, and notwithstanding his intense disgust with a Pope and court that could comprehend no motive but cupidity, that which he agreed to do as a part of a bargain he would have felt obliged to do in any case, since the very existence of the papacy was in imminent danger from the atheist emperor, Frederic II. A little later, however, he drew up a scathing memorial setting forth, without extenuation or palliation, all the injury to the Church and the papacy worked by the iniquities of Rome. He appeared before the Pope and his chief counsellors, and caused this plain exposure to be read to their faces, leaving also copies of it on file. He well knew, of course, that he thus made a deadly enemy of every man who heard him except the Pope himself, who, though he was as bad as the rest, could easily see that his own bread was not buttered on the side of corruption. Nor was this by any means an isolated instance of his courage.

We cannot here mention other interesting traits now first brought before the general reader in this biography. Nothing at all is said about Robert's personal appearance. The author is even in doubt whether he had a large head or not, saying that a signature "Master Robert Grosseteste" seems to imply that it was a family name. He allows the insignificant fact thus inferred (if it be a fact) to obscure from his mental view the significant circumstance that two writers who had seen him many times, and one at least who may have seen him, took it for granted that Grosseteste was a personal appellation. If they were in error as to how he came by the name, their assumption all the more proves that his head was large, since they would otherwise certainly have inquired why he had been so called. It is inconceivable, for instance, that his devoted disciple, Roger Bacon, should have continued through the long residue of his master's life after first meeting him, and subsequently to his death, to style him "Robertus dictus Grosseteste"—"Grosseteste" being, in truth, merely his family name—unless there was something in his personal appearance to confirm Bacon in the erroneous impression that it was a to-name. The only other thing we learn of his person is that his body was frail. If Mr. Stevenson's reader begins by vaguely figuring him as a sort of Napoleon, he will have a rough-hewn image that, after a good deal of subsequent shaping, as acquaintance ripens, will represent pretty well his "historic personality." He was a natural master of men and an administrator with both *coup d'œil* and capacity for details. He went to the heart of every practical problem, and almost invariably managed to have his way, as far as the nature of things allowed. In his anger he struck terror into all around him, while he charmed whomsoever he wished to charm. On the other hand, he was no actor, but most intensely sincere; he was on his guard against applause, outward and inward; he accurately foresaw the natural course of events; he knew perfectly what things are desirable; and he lived to a ripe old age, which one can scarcely conceive Napoleon as doing.

Grosseteste's public career began with his elevation to the episcopate in 1235, when he was over sixty years old, and continued till his death in 1253. For this period Mr. Stevenson's narrative was compiled without much difficulty from a few books. No material doubt can hang over any part of it, and nothing of importance can well have been omitted. It is, therefore, not open to criticism, except in minutiæ. The part of Grosseteste's life before 1235 is mainly that of a scholar. It could be adequately treated only by a person critically versed in the learning of that age, after a diligent study of all the works of Grosseteste. Such treatment it still awaits. Moreover, in the present state of our information, a large proportion of the facts of this division of Grosseteste's life, including all the principal dates, must remain conjectural. We cannot think that Mr. Stevenson has used great logical power in drawing his inferences from the few data we possess.

SEVEN NOVELS.

Geber: A Tale of the Reign of Harun al Raschid, *Khalif of Baghdad.* By K. A. Benton. Frederick A. Stokes Co.

A Danvis Pioneer. By Rowland E. Robinson. Boston: Houghton, Mifflin & Co.

Poor People. By I. K. Friedman. Boston: Houghton, Mifflin & Co.

Kennedy of Glenhaugh. By David Maclure. New York: The Mershon Co.

Enoch Willoughby. By James A. Wickersham. Charles Scribner's Sons.

Deacon Bradbury. By Edwin Asa Dix. The Century Company.

The Harp of Life. By Elizabeth Godfrey. Henry Holt & Co.

There are two tragedies in the history of the Muslim world that still touch its heart to the deepest and thrill its imagination to the highest. The one is the death at Kerbela of al-Husayn, the Well-Beloved, slain in battle against hopeless odds, and now praised and mourned in a yearly passion-play. The other is the fall of the Barmecides, the horror of which has never passed from Islam or from the memory of Harun the Just. In the second, added to the horror, lies a mystery unread to this day. Harun himself said to his favorite sister, "If I thought that my shirt knew it, I would tear it in pieces." 'Geber' is Mrs. K. A. Benton's attempt to read this mystery. It is a woman's reading and may be true; it has an adequacy which none of the other suggestions approaches. We will not spoil the book by telling its secret here, for the story as a story can be well commended. It is true that the people in it "thou" one another overmuch, and have a large utterance not by any means of the early gods. But the pictures are clear and bright; the figures, if we cannot say the characters, are distinct; the Oriental color is abundant, put on with the palette-knife and rubbed in with the finger. The life of the time in the court of

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Harun and on the seething streets of Baghdad stands out distinctly, and, in general, truly, in spite of many astonishing assertions and a sweeping transfer of the manners and customs of Lane's Egypt of the nineteenth century to the Mesopotamia of the eighth. On history Mrs. Benton has laid a masterful hand. Zubayda dies before Harun, and many a long year before her time; the Princess Ulayya, a royal light-o'-love with an alternate turn for poetry and devotion fitting the blood of which she came, is marvellously changed to a still more charming figure than she was. Geber himself is in history but a name and a shadow of greatness, and needed little adjusting. Still, he hardly had among his books "a manuscript in Latin entitled 'Summa Perfectionis,' and below the title the name of Geber himself"; that is to make every man his own translator with a vengeance. Another equally strange lapse is Mrs. Benton's evident belief that the Greeks against whom Harun fought were heathens of the old world. Such things suggest in the author an undigested familiarity. She has read enormously in sources of a kind, noted freely, if sometimes confusedly, and retold picturesquely. Her book is worthy of high praise as a story and a reconstruction of a dead phase of life.

Mr. Robinson gives us in his new story another of his studies in the lore of old Vermont and Canada. Gran'ther Hill, who figures prominently in the predecessors of the present volume, is the hero, and we follow him from early manhood to the hale old age in which he is already a familiar and striking figure. Gran'ther's early days were exciting. He bought land in the New Hampshire Grants, and with a partner went forth into the wilderness, where he builded him a log cabin and tilled the ground, trapping wild creatures for food meanwhile. Finding that his title was not clear, and being jilted in the same moment by the girl he left behind him, he turned a widely roving blade. When the Revolution broke out, he "took a whack at ol' Ti under Ethan Allen," scouted on Champlain, fought at Bennington. On one occasion, after a heavy snow, he received an order from the "Overseer of Tories" to take ten "Effective men" to "march and tread the snow" in a certain road "to suitable width for a Sleigh or Sleighs with a Span of Horses on Each Sleigh and order them to return marching in same manner." It may be fancied with what unction Josiah Hill discovered his dearest foe among the prisoners and kept him wading in snow for three days—days of cooling reflection, one may fancy, to the forger of titles and stealer of sweethearts. Finally, the trapping, ranging, fighting Josiah—the war ended and he a Captain—settles down in Danvis Township under a Vermont charter and begins again a pioneer life, aided and abetted by the excellent Ruby, whom in one of his adventures he had been prompted to marry, in order to keep her from being scalped by Indians. "I don't want tu," the girl had gasped. "I do' want tu nuther," he had said, "but I got tu, an' so we got tu make the best on't." The best proved to be very good. Josiah made a home and founded a community, so that the little volume closes with a reglimpse of familiar Danvis, and its familiar characters, ever wecome and amusing. The matchless French Canadian, "Ann Twine," is met once more, a blessing to readers.

'Poor People' is a tenement-house chronicle. Its scenes lead hardly farther afield than from the ground floor to the top story and across the street to the saloon. The writer is blind to neither the romantic nor the sordid possibilities of the subject, and displays a varied assortment of lights and shadows with a sympathetic touch and a temper both shrewd and kindly. The technical quality of the book is less commendable than its sentiment, though it is by no means on the lowest plane of ability, and the reader is often surprised by epigrams and the uncommonplace.

The story of 'Kennedy of Glenhaugh' is an original and good one, dealing with a mystery which fell darkly upon a Scottish house in 1789, and which, before we are done with it, gives us a bad quarter of an hour with the mob in Paris, marching on Versailles to demand bread of the royal baker. The excellently printed tale, though not long, hangs fire a little in the telling; yet in a way this is a merit, since old-fashioned deliberation and cautious incredulity befit the narrator, the faithful, pious, canny family steward.

The Willoughbys were all peculiar. "The Willoughby 'queer' " was a term in common use, we learn. Certainly Mr. Wickersham has written a queer book about them. It concerns mainly the life of Enoch Willoughby and his family. "Birthright Quakers" as they were, deeply religious, seers of visions, wrestlers with the Spirit, they were so strongly under the sway of unseen influences that, for Enoch at least, it was a step rather than a change to become a Spiritualist. The story, for the rest, deals with the distresses, agonies, and pangs of his family for him and for themselves, in the long struggle between the old faith and the new sect. Not that they themselves recognized any incompatibility between the two, but that the body of Quakers could hardly take the same view of the matter. Therefore it became a question whether to take on the reproach of being "Bigoted Christians," or "Sorcerers" and "Necromancers." Matters are complicated by the love affair of Lyddie, Enoch's sister-in-law, Quakeress and medium, with the son of the head of the meeting; but in the end the characters divide evenly, and peace settles upon a sorely rent family, whom hallucination had well-nigh betrayed and persecution had well-nigh destroyed. The author tells his story as one who, like his hero, is intimately sympathetic with the best in both Quaker and Spiritualistic creeds. It is evident that, with Enoch, if he must choose, he would let his name be erased from the book of church membership rather than deny the truths of Spiritualism. While his book, considered as a novel, is rude, crude, and tedious, there is yet a sanity and kindliness in his presentation of the subject not always manifest in the literature of the Spiritualist sect. Nor, for all his sympathy, is the writer without keen horse-sense anent his topic. "Thee feels thyself above people just as much as any one does, Enoch," says his wife Hannah, "only they are different people in thy case." And the young son James writes: "Sometimes when Mother and I think how he spends his time working for other people, he seems to us more like Jesus than anybody we ever knew; . . . and then . . . we just get to hating him, and Mother declares he is bringing a whole raft of good-for-nothing men and women about the house and tracking up the floor for no manner of any good, and sometimes I believe in him and sometimes I don't." On the whole, this is a book of some power, and assuredly is unusual in treating its leading doctrine with both attachment and candor.

'Deacon Bradbury' is another novel in which the religious perturbations of an excellent man form the motive. The type is a more familiar one than the other, namely, the New England Congregationalist, to whom the visions of an Enoch Willoughby would have been anathema maranatha. The loss of confidence in an only son, aided by a touch of theologic scruple, drove Nathan Bradbury into a state of evangelical prostration, and he withdrew in all reverence from church fellowship. The story is compounded of his doubts and of the circumstantial evidence in the case of his son's supposed crime. The father's suspicions, the son's acquiescence, the behavior of the accessories, are all quite unnatural, but are told in a natural fashion which is almost persuasive. The village setting and dialect are life-like, and the dialogue between the Deacon and his wife, in particular, is admirably done. There is, besides, a certain originality in the dénouement, wherein the wonted alibi is assigned not to the criminal but to the crime.

'The Harp of Life' is a pleasantly written novel in very much the manner of the author's earlier story, 'Poor Human Nature.' There are the same ingredients—music, love, temptation, and a respectable issue out of all afflictions. There is no extremity of emotion in either the art or the sentiment of the story, but it takes the reader placidly along through its bright and dark places, interested if not profoundly stirred.

Our Rarer British Breeding Birds. By Richard Kearton. Cassell & Co.

This work is to be regarded as a supplement to an earlier one by the same author on 'British Birds' Nests: How, Where, and When to Find and Identify Them,' published in 1895. The present volume treats of about sixty species, mostly rare, and all additional to those contained in the foregoing, which this resembles in general character and make-up. The text relates almost exclusively to the nests, eggs, and breeding-haunts of the species as observed in the British Islands; and, in addition to the half-tone full-page plates of the nests and eggs of each of the species treated, additional plates are often given to show the general character of the breeding-haunt. The illustrations are wonderfully clear and effective, being similar in character to those of the 'British Birds' Nests,' so cordially welcomed and so highly praised for its artistic excellence. The brothers Kearton—for while Richard is the author, the illustrations are from photographs by his brother Cherry—have achieved a high reputation for their success and skill in a most difficult field, in which they were pioneers; and only those who have tried to achieve similar results can appreciate the difficulties they have so effectually overcome. Some idea may be formed of what it costs to collect the materials for such a work when it is mentioned that "the mere railway and steamboat travelling involved totals up to something like ten thousand miles, to say nothing of many and many a long and fruitless tramp across bog and fell." Of some of the birds whose nests

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are here represented only a few pairs are known to breed anywhere in the British Islands, while others are restricted to a few localities in the Scotch Highlands or the Outer Hebrides.

The larger part of a long preface is given to a discussion of how best to protect the rarer species of British birds from extermination. Apropos of laws for the protection of birds Mr. Kearton says:

"The wild-bird protection laws are very like a beautiful padlock and chain hanging useless on a widely opened stable-door which it is nobody's business to lock; and I have no hesitation in saying that the only real good done in the United Kingdom in the way of bird preservation has been accomplished by private effort. As such private enterprise has now abundantly demonstrated in the case of the great skuas in Unst, ... the eider ducks at the Farne Islands, and the various species, including the lesser tern, at Wells, in Norfolk, absolute personal protection on the spot is the great desideratum."

He says further:

"Broadly speaking, all wild birds are the property of the state as species, and no man has the right to kill or rob the last representatives of a single one in danger of extermination. Modern conditions of life seem to have rendered it necessary that the same power that houses and takes such excellent care of our dead birds for the edification of the public [referring to the Government support of the South Kensington Museum], should also make some practical effort to conserve such of our living ones as are in danger of banishment."

He finally suggests that a committee of practical ornithologists should select a dozen of the species considered to be most in danger; and secure their protection during the whole breeding season "by placing reliable watchers night and day upon their breeding ground." He concludes his plea by saying: "Let us not forget that we all owe posterity a debt, and that the deliberate doing of anything calculated to lessen its pleasures is a wicked responsibility."

We have in this country laws which, if enforced, would do much to save such of our wild birds as are approaching extinction, but they justify Mr. Kearton's simile of the beautiful padlock and chain on the open stable-door, which no one will close and lock; and our own most active bird protectors have also reached the conclusion that the only way to save the rapidly disappearing species, like the terns and gulls, is to provide a paid patrol, through private subscriptions for the purpose, for the protection of the birds on their breeding grounds.

Malay Magic. By Walter William Skeat. with a preface by Charles Otto Blagden. Macmillan Co. 1900.

Those who see in the silliness of the savage the key to the secret of the adult's myths will welcome gladly this handsome volume. All the mental monstrosities of the Malay are here registered with loving care, and the eager reader can learn at first hand (for the author is a civil-service veteran of the federated Malay states) how the Malay makes incantations, what gods he worships, what ghosts he fears, and what ceremonies attend his birth, adolescence, marriage, and burial. Constant reference is made to other authorities, both special, such as Crawfurd's 'History of the Indian Archipelago,' and various essays in the several journals of the Royal Asiatic Society, and general, such as Frazer's 'Golden Bough' and Tylor's 'Primitive Culture.' To those conversant with the language, an appendix furnishes the original text of the charms, and is in other respects a not unimportant addition to a work that has been the outcome of years of careful and profound study. The book is well illustrated with original photographs of idols and wizard-paraphernalia.

For the main purpose of the book it is perhaps debatable whether the superstitions here reported are of as great value as they at first appear. Neither the conscientiousness nor the ability of the author can be doubted; but in making use of the matter as an original source of folklore, it must constantly be remembered that the Malays have been influenced by Hindu and Arabic literature. This may be known not only from the fact that their literature has been indebted to the 'Râmâyana,' a Sanskrit epic, but even from the still unchanged names employed in their cosmological myths. Thus, a "Malay folk-tale" says that "God girt the earth with a great mountain, Bukit Kof; but Yajuj and Majuj are peoples who are boring it through. Besides the mountains of Kof, there is a central mountain called Mahameru," etc. We need go no further. Bukit Kof is the Arabic Kaf, the Caucasus; Yajuj and Majuj are Gog and Magog; Mahameru is the Sanskrit Maha Meru or Great Meru, the central mountain of the world. But if Semitic and Aryan elements are so blended in the loftier speculations of the Malay, in his home life he has retained much that is original, though how much it is impossible to say. Thus, the soul is a thumbkin, which goes about in sleep, corresponding exactly in shape, proportion, and even in complexion to the body it has left. But this is precisely the Hindu idea, even to the size "big as a thumb" found in both the Hindu and Malay descriptions. Is it an original Malay or borrowed Hindu idea? Again, we find the exact counterpart of Theocritus's sympathetic magic, wax-image witchery. This may be independent; it is a superstition found widely enough to warrant such a hope in the breast of the folklorist. But, on the other hand, one of the "left-hand" rites of the Hindus consists in "shadow-cult," which is exactly the same shady practice of sticking thorns into an image for the same purpose. There is, in fact, a mass of these superstitions of the Malay which might have been registered in the same words, names changed, and labelled Hindu Magic, such as the charms against men-tigers and ill-omened birds, or against spirits called Bota (which are indeed nothing but the Sanskrit Bhûts, 'spirits') and Raksasa (the Sanskrit Rakshasa, 'harmful spirits'). The latter, by the way, are also called gasigasi or gegasi and gargasi, interesting forms of reduplication as compared with those in Sanskrit. So with the fabulous birds Gerda, Jintayu, and Chandrawasi, of which the first two are certainly and the last is probably of Sanskrit origin. If Hindu and Arabic influence is so palpable as in this charm (of which only the first and last verses are given)

> Ho, Raja Guru, Maharaja Guru,
> Betwixt me and you
> Division was made by Adam,

how are we to tell when and where this influence ceases? But, with this query constantly in mind, one may read with interest and profit the charms and ceremonies which the author describes minutely and at length. The book contains at least the best and fullest account of Malay superstitions. As such it is a treasure of old beliefs, which already in some cases are passing away or are becoming modified through foreign intervention. Wizards who kill, for example, are no longer killed in turn, as they should be, and much else that was usage is now only tradition, so that Mr. Skeat has done a real service to the science of comparative animism in making his collection.

An Old Family: or, The Setons of Scotland and America. By Monsignor Seton, member of the New York Historical Society. New York: Brentano's. 1899. 8vo, pp. 438.

This book, compiled by the Rev. Robert Seton of Jersey City, does indeed record the history of an "old family." The Setons are one of the famous families of Scotland, with a pedigree reaching back to traditionary times, for Scottish records are sadly defective, but accepted by genealogists. Sir Richard Maitland of Lethington, Knt., who wrote the 'History of the House of Seytoun' to the year 1559, traces several generations of knights of the name prior to Christell or Christopher, who was a staunch supporter of King Robert Bruce, and who married Christian, the sister of that monarch. He was captured by the English, and hanged, drawn, and quartered as a rebel. His son, Alexander Seyton, received from his uncle, King Robert, a charter erecting his lands into a free barony. His descendant George, sixth Lord Seton, was in 1557 Governor of Edinburgh Castle, whose son Robert, seventh Lord, was by King James VI. made Earl of Winton, November 10, 1600. The grand title of Lord Seton was merged in the title of Winton, and five Setons bore it. George, the fifth Earl Winton, was about thirty-six years old when the "rising" of 1715 took place, and of course he joined the Pretender. He took arms, and at Preston surrendered, with some fifteen hundred others, noblemen and commoners, and was sent to London. On January 10, 1716, five noblemen, the Earls of Nithsdale, Winton, and Cornwall, Viscount Kenmore and Lord Nairn, were impeached, tried, and condemned. Winton escaped from prison, and seems to have gone to Rome, where he is said to have died December 19, 1749, unmarried, though a claimant to his honors appeared early in this century.

Thus expired the honors of the name of Seton, which very curiously obtained public recognition by a random stanza about Mary Seton, daughter of George, the sixth Lord Seyton, one of Queen Mary's "four Maries," and by the matchless eloquence of Sir Walter Scott in his novel of 'The Abbot.' But the male line did not then cease. Robert, eighth Lord Seton, and first Earl of Winton, besides his heir, the second Earl, had a son Alexander Seton, by his wife Margaret, daughter of Hugh Montgomery, third Earl of Eglington. The male line of the Montgomerys died out in 1612, and the titles and estates devolved by entail, in right of his mother, on Alexander Seton, who took the name and arms of Earl of Eglington. This line of Setons in the male line still exists, the Scotch title having been augmented by the title of Earl of Winton in the United Kingdom in 1859, now held by George Arnulph Montgomerie, since 1892, fifteenth Earl.

Other examples can be found of offshoots of this famous race still surviving under other names, as inheriting other honors, but

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we are not writing a Scotch chronicle. The reader is respectfully referred to a 'History of the Family of Seton during Eight Centuries,' by George Seton, Advocate, M.A. Oxon., Edinburgh, privately printed by T. & A. Constable, Printers to her Majesty (1896, pp. 1,079, 8vo, 2 vols.), one of those stupendous genealogies possible only where wealth is at the service of taste and knowledge. In these magnificent volumes the record of the entire family is to be found, and it is one to rejoice the heart of every one with a drop of Seton blood in his veins. The book under notice is, of course, but a mere subsection of the great book, interesting only so far as it may give the American branch of the family. We regret to say that it has not been executed with the exactness or fulness that might be desired.

The author claims that his ancestor represents the oldest cadet line from the main branch, viz., that of Seton of Parbroath, which was established about the middle of the fourteenth century. The record seems to be reasonably clear until about A. D. 1600, when George Seton was in possession of Parbroath. Our author (p. 197) writes that about A. D. 1607 George seems to have quitted Parbroath and to be occupying premises in the rectory of Dysart in Fifeshire. He was twice married, first to

"Jean, daughter of Henry, Lord Sinclair, by whom he had issue, but nothing special is known of the children, who were living with their mother at Dysart in 1609. They must have died young. His second wife was Isabella, daughter of George Seton of Cariston, great-grandson of the sixth Lord Seton, by whom he had two sons, James, who died in Spain unmarried, and Robert, who is last heard of near Hawick in Roxburghshire, where he married the daughter of a gentleman of the neighborhood, name unknown, and had a son called James, of whom hereafter."

Here our reverend author interposes other matter, and, on p. 239, resumes with

"James Seton, Esq. He succeeded his father Robert in the representation of the Parbroath branch of the family, and settled in London, where he married Margaret Newton. . . . He had one son and two daughters [John, Mary, married Dr. William Robertson, Margaret, married a Dundas]."

James Seton, the father of the last named, "was murdered in a rising of the slaves at Cape Français, San Domingo, while on a voyage to the West Indies with the intention of settling there and sending for his family."

John Seton, born in 1712, married his cousin Elizabeth Seton of Belsies, and had two sons and five daughters, viz., John, died unmarried at Barbados, 1768; William; Isabella, wife of Sir Thomas Cayley, Bart.; Jane, married Sir Walter Synnott, Knt.; Elizabeth, wife of Robert Berry and mother of Walpole's famous friends Agnes and Mary Berry; Margaret, married Andrew Seton of New York; Mary, wife of John Wilkes of New York; and Barbara, who married George Seton, an officer in the East India Company's service.

William Seton, son of John, was born in London, April 24, 1746, and in 1763, at the age of seventeen, emigrated to New York to push his fortune. He married there successively two sisters, daughters of Richard Curzon of New York, was a notary and a merchant, and died June 9, 1798, at New York. By his first wife he had four sons and three daughters, and by his second wife two sons and five daughters, nearly all of his large family living to be married.

The oldest son, William, jr., was born at sea in 1768, was a merchant in New York, and married Elizabeth, daughter of Dr. Richard Bayley of New York. After his death she became a Catholic, and her oldest son, William Seton, born in 1796, was the father of Monsignor Robert Seton, author of the book under review, born at Pisa, in 1839. He was ordained priest in 1865, and in 1867 named prothonotary apostolic, and was the first American raised to the Roman prelature.

It is not necessary to trace the later members of the family, all well known and valued, but we must say that the pedigree, as we have indicated, must be defective and needs strengthening. It is almost impossible to doubt the substantial truth of a pedigree fortified by so many references to marriages and other proofs, but the reverend author has certainly been very remiss in collecting proofs which ought to be still obtainable. The finer the pedigree, the more essential is the proof. We must say that no judicious editor would rest satisfied with Sir Bernard Burke's perfunctory endorsement herein printed.

The history of the American branch of the Setons is very interesting, and is quite fully set forth. It will be noted that one entire line reverted to the Catholic faith.

The Thœtetus of Plato: A Translation, with an Introduction. By S. W. Dyde. Glasgow: MacLehose & Sons. 1899.

The "Theætetus," like the "Sophist," which is its sequel, is one of a group of Platonic dialogues that by no means appeal to the general reader. To all but the student of Greek philosophy, Platonism stands for the sort of poetical mysticism which one finds in the 'Symposium' or the ethical discussions of the 'Republic' and the minor dialogues—"which whoso knoweth not to be flowers of poetry, did never walk in Apollo's garden." There are few poetic flights or fancies in the "Theætetus"; the scientific tendency is uppermost throughout; here and there, however, Plato allows himself a digression, and many of his readers will agree with Theodorus, one of the characters of the dialogue, who "liked the digressions better than the arguments, because he understood them better."

One of the chief peculiarities of the dialogue is that, in it, although Plato is, as usual, giving a dramatic lesson in logic to the youth of the hour, his main preoccupation is a criticism of the doctrines of two great pre-Socratic philosophers, Heracleitus and Protagoras. The youth, Theætetus, being asked to define "knowledge," said it was sense-perception; he should rather have said that sense-perception is one form of knowledge (ἐπιστήμη). Socrates, having easily put his logic to confusion, proceeds to identify the definition given with the famous dictum of Protagoras, "Man is the measure of all things." Moreover, the theory that knowledge is sensation can be shown to rest on the Heracleitean doctrine of perpetual flux (πάντα ῥεῖ), which does not admit of a theory of being; "everything," say the followers of Heracleitus, "is becoming" (πάντα γίγνεται). There was a certain unfairness in thus confronting Heracleitus and Protagoras and in assuming that they could both be refuted by the same argument. This perhaps arose from Plato's strong ethical repugnance to the form of materialism known as the doctrine of relativity. To him, abstract general notions were the ultimate reality; their foundation must be in the mind. Socrates characteristically leads Theætetus to an emended and apparently satisfactory definition of "knowledge" as "true opinion with an account of the object," only to reject it as insufficient, as was the case with all absolute definitions in Plato, at the close of the dialogue. The three main topics debated are the definition, Idealism and Causation; and the whole discussion is an admirable illustration of Plato's psychology and logic.

One of the greatest services that Prof. Campbell has rendered to scholarship is his edition of the "Theætetus." His introduction, supplemented by Jowett's Essay, leaves little to be desired in the way of exposition of the difficulties of a most difficult dialogue. On the seventy-eighth page of his introduction, Mr. Dyde endeavors to outline Plato's dialectical method, and to show that it involved three stages, all of which are illustrated in the "Theætetus," viz., a criticism of ordinary opinion, a criticism of Sophistic doctrine, and a positive account of reality. The first chapter, entitled "Plato's Style and Method," strikes us as somewhat thin. The three chapters succeeding, on Plato's relation to Protagoras, to the Protagoreans, and to the Sophists in general, make up a clear and thoughtful introduction to the "Theætetus" and to parts of the "Sophist." In his description of the arguments used, Mr. Dyde missed an opportunity of drawing some analogies from modern philosophy and psychology. Moreover, he might have pointed out that, whether intuitively or as the result of physical investigations, Plato in the "Theætetus" seems to have realized certain physical truths which we regard as peculiarly the discovery of modern science, as, for instance, that light is the result of movement; in 153 A we have the explanation of heat as a mode of motion; in 153 D we are told that color does not belong to the object, nor to our eyes.

Mr. Dyde's translation is intended for the general student of philosophy rather than for the classical scholar. It is, on the whole, faithful enough, though too often it is merely a paraphrase of the Greek, as in 180 D. In 153 B ἕξις is first translated by the inappropriate word "fashion," and in the next sentence is altogether evaded; in 164 A Mr. Dyde translates: "Any one might be led to more glaring contradictions than these, unless he paid attention to the terms which are ordinarily used in affirmation or denial"; this is to take ῥήμασι as the antecedent of ἢ τὸ πολύ . . ., whereas grammar and the sense of the passage alike point to μὴ προσέχων as the antecedent. This point is noteworthy from the fact that Campbell himself misread the meaning of the sentence, and has a misleading note implying that Plato is here commending freedom from punctiliousness with regard to terms in an argument. On page 17 Mr. Dyde quotes a line of Browning in support of the statement that Euripides was the pupil of Protagoras; of course he must mean the note as an illustration merely, but in its present form it lays him open to the derision of the Germans. He occasionally startles the reader with metaphors rather unhappily chosen, *e. g.*, "Observers of society nestle inside of Plato" (p. 8): "Phi-

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losophy entered this long controversy much like the lumps of meat which were thrown into the valley described by Sinbad . . ." (p. 72). On p. 54 his remark that Plato's Theory of Ideas might be called the "Song of the Open Road" is still more bewildering. The accents, notably on p. 22, need revision.

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Annual Literary Index, 1899. New York: The Publishers' Weekly.
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Fuller, Dr. E. Diseases of the Genito-Urinary System. Macmillan. $5.
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Halsey, F. A. The Use of the Slide Rule. New York: D. Van Nostrand Co.
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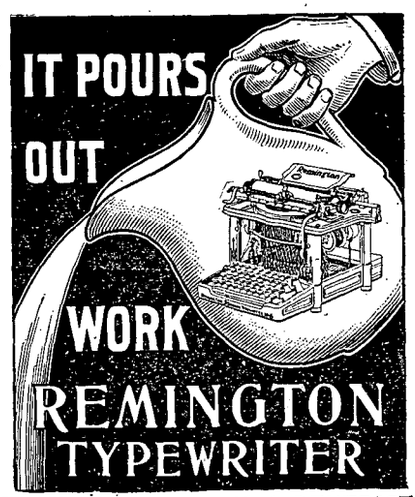

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